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Historical Souvenir.

CENTENNIAL CELEBRATION

FOR

Wood County, West Virginia,

1799-1899.

x x

October Third, Fourth and Fifth.

Copy of this Souvenir will be placed in the Corner Stone of the New Court House.

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UNITED STATES OF AMERICA.

Wood County Formation.

A Century of Progress,

History of Divisions, Courts, Buildings, Past and Present, and Engravings of the same.

Roll of Judges, Justices, Supervisors, Commissioners, Prosecutors, Clerks and Sheriffs.

Chartering of Three Towns of Monroe, Vienna and Newport.

The Struggle of the Land Owners to Locate the County Seat on the Property of each "Gentleman Justice."

Final Triumph of Parkers Town.

One Chapter From Eventful History.

BY

ALVARO F. GIBBENS, A. M.,

CHARTER MEMBER OF STATE HISTORICAL SOCIETY.

WITH ILLUSTRATIONS.

1899:

THE ACME PRESS,

MORGANTOWN, W VA

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ENGRAVINGS.

1. Parkersburg Primitive Village, in 1795.
2. The Log Court House at Neal's Station.
3. Permanent Log Court House on Riffle Run.
4. The Brick Court House on Public Square.
5. The Fourth Court Building, recently demolished.
6. The Fifth Structure, now being built.
7. The Old Market Place near.
8. The Present Splendid Jail.
9. Judge James Monroe Jackson.
10. Judge Lewis N. Tavenner.
11. Clerk Ben. F. Stewart.
12. Clerk Oliver M. Clemens.
13. Prosecuting Attorney Jno. F. Laird.
14. Judge Kinnard Snodgrass.
15. Sheriff Charles A. Wade.
16. Edwin S. Butcher, Ex-County Commissioner.
17. Jefferson Gibbons, President County Court, 1852.
18. The County Commissioners.

Newport Village and Block House,
At Junction of Rivers at Close of Indian War, 1795.

COUNTY FORMATIONS.

PRIOR to the Independence of the United States in 1776, the popular branch of Colonial legislation in Virginia was titled the "House of Burgesses." By its enactments from time to time, under supervision of the English Crown, was the wilderness territory divided into counties, as new settlements increased and the population pushed westward beyond the Blue Ridge mountains.

Many of these political divisions were formed, and again subdivided, as the old records frequently state, to avoid "difficulties to the inhabitants by reason of passing certain creeks and rivers to prosecute their suits and attend court sittings."

In 1634 the Province of Virginia was divided into eight shires, which were thereafter "to be governed as the shires in England, with Lieutenants to take care of war against the Indians." From one of these divisions, or some combination of them, eventually was formed—just when and how the oldest official records do not disclose—the county of Lancaster, which first appears to have recognition on the roll, in 1652, as sending members to the Burgesses. Four years later Rappahannock sprang from its ancient limits.

Among other counties created in 1691 was King and Queen, and in 1692 Essex, and King William in 1701. In

1720 from parts of these three divisions was formed and named Spottsylvania, in honor of Alexander Spottswood, who, in 1713, when Lieut.-Governor of the Colony, was the first with his troop of horse to cross the then western boundary of civilization—the Blue Ridge. For this daring feat, and the discovery of the beautiful Valley of Virginia, the English King conferred upon him the reward of knighthood, and established the new Transmontaine Order of St. George, whose insignia was a golden horse shoe, with the engraved motto thereon, *Sic jurat transcendere montes*—thus he swears to cross the mountains. To each of the troop was given the miniature emblem, and as an inducement to emigration into this western land, any one who would accept and pledge a compliance with the inscription, was furnished a similar badge, and became a member of the Pioneer Order.

In 1730 Spottsylvania was divided into two parishes, and four years later the one called St. George was rechristened Spotsylvania county, and the other, St. Marks, to be called Orange, in honor of William, Prince of Orange. The limits of the latter county were defined to be "Southward by the line of Hanover County, and westerly by the utmost limits of Virginia," which meant in a vague way all the territory west of the Blue Ridge barrier.

Such a tide of population from Pennsylvania, Maryland, and the Potomac river counties of Virginia, through Harpers Ferry gap, had poured into this section, that in 1738 the legislature of the Colony restricted the county of Orange to that portion of her territory east of the Blue Ridge, and created two new ones out of the land beyond, named in honor of the Prince and Princess of Wales. Frederick comprised the northern part of the great intermontaine valley with Winchester as its seat, and Augusta the southern section and all the remainder of Virginia west, with Staunton as its seat of Government.

In 1754 Hampshire was formed from the Trans-Shenandoah portions of Frederick and Augusta counties.

In 1770 Boutetourt was created by division from the south part of Augusta.

DISTRICT OF WEST AUGUSTA.

From about 1763 to the dawn of the Revolution, settlements west of the mountains in the territory claimed by Augusta county rapidly increased. The land west of the Alleghenies was without defined limit, Virginia claiming under her royal charters to the Mississippi river. This wilderness was considered by the Tide-water inhabitants as the unexplored land, and vaguely titled the District of West Augusta.

The settlers of that wilderness were so noted soon for robustness of body, steadiness of mind and purpose, and bold patriotism, that Washington was willing to risk their valor and courage as a reserve force which all England could not intimidate or conquer.

This district included all the territory from the Alleghenies westward, and from the Great Kenawha Valley on the south to Pennsylvania on the north. At that time Fort Pitt and much of southwestern Pennsylvania were claimed by Virginia, and their ownership as violently resisted later by the authorities of Pennsylvania. Militia were called out, two sets of magistrates appointed, and each imprisoned by the power of the other, and a struggle and conflict kept up till the storm of the American Revolution sank the less in the greater, and the question of jurisdiction was left to be settled by litigation and compromise, and the extension of Mason and Dixon's line defining the northern limits of West Augusta.

This district was an exception, in having no definite limits westward, or any legislation separating it from Augusta county, till the Act of October, 1776, by the Commonwealth of Virginia, then only three months an independent state of the new republic.

It read: "Whereas it is expedient to ascertain the boundary between the county of Augusta and the District of West Augusta, Be it therefore enacted by the General Assembly of the Commonwealth of Virginia, and it is hereby enacted by authority of the same, that the boun-

dary between the said district and county shall be as follows, to wit: Beginning on the Allegheny mountain between the heads of Potowmack, Cheat and Greenbrier rivers (said to be Haystack Knob, now at the northeast corner of Pocahontas county), thence along the ridge of mountains which divides the waters of Cheat river from those of Greenbrier, and that branch of the Monongahela river called the Tyger's Valley river to Monongahela river, thence up said river and the West Fork thereof to Bingermans creek, on the northwest side of said fork, thence up the said creek to the head thereof, thence in a direct line to the head of Middle Island creek, a branch of the Ohio, and thence to the Ohio, including all the said waters of said creek in the aforesaid district of West Augusta, all that territory lying to the northward of said boundary, and to the westward of the State of Pennsylvania and Maryland, shall be deemed, and is hereby declared, to be within the district of West Augusta."

MONONGALIA EDICT.

In another section of this act the three new counties of Ohio, Yohogania and Monongalia were created and defined. The latter included "all that part of the said District lying to the northward of the County of Augusta, to the westward of the meridian of the head fountain of the Potowmack, to the southward of the County of Yohogania, and to the eastward of the County of Ohio, shall be one other distinct county. and shall be called and known by the name and county of Monongalia."

In this tri-partite division of the northern portion West Augusta disappeared. Ohio county was created north of new Monongalia, and Yohogania in the subsequent fixing of state boundaries was merged into other divisions of both commonwealths, and became the lost county of the Old Dominion.

West Augusta, in 1777 and the following year, was again divided and formed into Montgomery and Greenbrier

counties, extending west of the Alleghenies to Big Sandy river, and down its valley and that of the Great Kenawha to the Ohio river. Greenbrier then formed the southwestern line of Monongalia county.

In May 1779, there was added to Monongalia, from Augusta, "all that part which lies to the northwest of the following lines: Beginning at the dividing ridge between the running waters of Elk and Little Kenawha rivers, and running thence till it intersects the ridge between the West Fork of Monongahela and Elk rivers, thence with said dividing ridge to the ridge dividing the waters of Tyger's Valley and Buchanan prongs of the Monongahela, thence with said ridge to the intersection of said Tyger's Valley Prong, by said ridge, thence with said ridge to the old line on the ridge between the waters of Tyger's Valley Prong and those of Cheat river, and thence with said ridge that divides Cheat river and the waters of Potowmack."

In October, 1780, another part of Augusta was added to Monongalia, thus described: "All northwest of the line that divides Augusta from Green Brier on the top of the ridge, that divides the waters of Green Brier from those of Elk and Tyger's Valley, and with that ridge to the ridge that divides the waters of Potowmack from those of Cheat, and with the same to the line that divides Augusta from Rockingham."

HARRISON EDICT.

From Monongalia, to take effect 20th of July, 1784, was enacted the formation of Harrison county, named after the then Governor. Its territory was thus defined:

"By a line to begin on the Maryland line, at the fork ford on the land of John Goff, thence by a direct course down the said creek to Tyger's Valley Fork of Monongalia river, thence down the same to the mouth of West Fork river, thence up the same to the mouth of Biggerman's creek, thence up the said creek to the line of Ohio county, and that part of the said county lying south of the said line."

The Justices named in the Commission of the Peace were to meet at the house of George Jackson, at Bush's Old Fort, on Buchannan river. The new county had a frontage on the Ohio river of eighty miles.

In 1789 the county of Kenawha, named in virtue of the principal river that bisects its territory, was created, on the South-west of Harrison, by dividing Greenbrier.

WOOD COUNTY.

Ere, in England, Victoria Regina was enjoying her honey-moon with her dear Prince Albert, when Washington was dying in his picturesque and ever-to-be-enshrined Mount Vernon on the historic Potomac; ere the isle of Blennerhassett had been recognized by that name, or even thought of as the starting point of a great conspiracy, and was, like some primeval power, listening to and reflecting the eddying chant of the current around its sand-embraced shores, the territory which now constitutes Wood County, (Pleasants, Jackson, Ritchie and Wirt) had recently emerged from the power of the Indian, and was in process of establishment as a separate county in Virginia.

It was to have a renowned and grand future, but unlike Minerva, did not spring full fledged from the brain of Virginia's legislative Jove, equipped and panoplied for instant action.

There were two edicts of legislative power, one 21 December 1798, and the other in 1800, needed to create it. The first act is as follows:

1. Be it enacted by the General Assembly, that all that part of the county of Harrison, lying westwardly of a line to begin thirty miles from the Ohio river on the line dividing the counties of Harrison and Kenawha, thence northeasterly to intersect the line of Ohio county at twenty-one miles distant from the Ohio river on a straight line from that point where the line of Ohio county strikes the said river, shall, from and after the 1st day of

May, next, form one distinct county, and be called and known by the name of Wood County.

3. The Justices to be named in the commission of the peace for the said County of Wood, shall meet at the house of Hugh Phelps in the said county, upon the first court day after the said county shall take place, and having taken the oaths prescribed by law, and administered the oath of office to, and taken the bond of the sheriff according to law, proceed to appoint and qualify a clerk, and fix upon a place for holding courts in the said county, at or as near the center thereof, as the situation and convenience will admit; and thenceforth the said court shall proceed to erect the necessary public buildings at such place, and until such buildings be completed, to appoint any place for holding courts as they may think proper: Provided, always, that the appointment of a place for holding courts, and of a clerk, shall not be made unless a majority of the Justices of the said County be present; (where such majority shall have been prevented from attending by bad weather, or their being at the time out of the County, in such case the apppointment shall be postponed until some court day when a majority shall be present.) The Governor shall appoint a person to be sheriff. The County shall remain in the same Judicial district as Harrison, for which courts are held at Morgantown, and to be of the same brigade district, and to be in the same Senatorial and Congressional district as Harrison."

Addition to its boundary was made 30 Dec. 1800, in the following language: "That all that part of the county of Kenawha within the following bounds, to wit: beginning at the mouth of Devil's Hole creek, otherwise called Pleasant river, thence eastwardly parallel with the line at present dividing the counties of Kenawha and Wood, until the back or eastern line of the county of Wood, being extended, would intersect the same, shall be, and it is hereby added to and made part of the said county of Wood."

At this date the county had a boundary of over sixty

miles along the Ohio river, and included all the continuous rich islands, some of them constituting large farms, within the shore limit. Its area was 1223 square miles, its population 1217, and collections from taxes amounted to only $1257, an average of over a square mile for every person, and a taxation of a dollar a head. Its area and boundaries so remained until 1832.

In 1804 Kenawha County was separated and Mason constructed, taking in the Great Valley to and up along the Ohio river. For years thereafter it was the southwestern boundary of Wood.

Tyler, in 1814, was formed from the south-western part of Ohio county, and was then the north-eastern boundary for Wood.

Lewis, in 1816, was constructed from Harrison, and for years was the Southern boundary of Wood county.

TERRITORIAL DECREASE.

The census of 1830 revealed only a population of 6,414 persons, paying taxes aggregating $4,257. Such a vast land area beyond the Ohio was unrolled to the sight of emigrants during the previous two decades that the increase of Wood county population was slow. Many of her own pioneer families were induced to follow the westward star of empire, and departed, leaving no descendants within our borders. Nevertheless, the settlements were so far apart that new counties, with nearer and more convenient seats of local government were demanded.

In the consequent and subsequent divisions, Wood County lost nearly three fourths of her territory, cutting down her area to its present one, of 375 square miles But her population, as will be seen from the tables, has increased beyond the dream of her oldest inhabitant or pioneer descendant.

JACKSON.

In 1831 was created, from Mason, Kenawha and Wood, the first county, named in honor of "Old Hickory," Presi-

dent Andrew Jackson. About one half of its area was obtained by taking from Wood the land southwest of a line running from the mouth of Pond Creek on Ohio river, in a southerly direction to the northern limit of Lewis county, and Ripley on Mill Creek, was made its seat of power. This diminished our river frontage over eleven miles. The Northeastern portion of Roane County, originally part of Wood, passed away from Jackson subsequently.

RITCHIE.

From the eastern portion of Wood, and from Harrison and Lewis, in 1844, was constructed Ritchie county, named in honor of a noted editor, Thomas Ritchie of Virginia. Its seat was Harrisville, on the north fork of Hughes river. Subsequent to this date a portion of Wood, which was legislated to Ritchie, was separated from it, and now forms part of Doddridge county.

WIRT.

From Wood and parts of Jackson originally in Wood, was formed a county named in honor of the celebrated orator and statesman, whose eloquence had been heard in the famous Burr-Blennerhassett trial, William Wirt. Elizabeth, the Beauchamp settlement, above Tucker's creek, on the south side of the Little Kenawha river, was chosen as the county seat. Eight miles above are the world-renowned burning springs, the center of a wonderful oil excitement in 1861 and later.

PLEASANTS.

From Wood, taking all the territory between Bull Creek and Middle Island on the Ohio, and from parts of Tyler and Ritchie, was formed in 1851 a county named from James Pleasants, Virginia's Governor in 1822. St. Marys, below the mouth of Middle Island creek, was

made the county seat. In this division the Ohio river frontage was reduced ten miles, leaving less than thirty-five miles of Ohio coast.

From the foregoing it will be noted that from 1758 to 1776, 38 years, the county was in the District of West Augusta; from 1776 to 1784, eight years, in Monongalia; from 1784 to 1799, fifteen years, in Harrison. The earliest settlements made in Wood were during the one and a half decades made whilst in Harrison. In 1891 it paid into the State Treasury a total tax of $52,610.72, and amount for commissions paid to its sheriff was $1,855.10, an excess of $655.48 over the entire county's income in 1800. For year 1898 were raised in the county for all State purposes, including licenses, $61,339.29, and the valuation of real estate and personal property was $9,527,010. The county levy for all purposes for year ending 30 September 1898, was $140,146.14. Ninety-eight years before it was only $1,199.52.

COURT ORGANIZATION.

COUNTY SEAT LOCATION AND TOWN BUILDING.

WE are apt, in this age of crowded population and intense commercial competition and the struggle for subsistence and superior wealth, to look backward to pioneer days, with their mist and uncertainty, and to fancy that all was harmony and tranquil content; that a sharing of common deprivations and dangers would prevent a conflict of personal interest. To some extent this is true. But history only shows that man, in the aggregate and as individuals, aims in every latitude and age, for personal and local advantage. The question of where the seat of justice, the repository of popular power and concentration should be in Wood county was not an exception. The trio of ambitious leaders, each, planned and labored, and in modern legislative vernacular we might say filibustered, to have the court building established and erected upon his broad acres.

Out of the desire grew the platting and legislating for the establishment of three different towns, Newport, Vienna, and Monroe. Each acquired by act of the General Assembly, power to lay out into squares and streets, and sell lots by auction. This divided the commissioned Justices in opinion, and doubtless led to all the hesitancy and vacillation in the proceedings of the court, during its first and formative years. Squire Hugh Phelps' friends advocated Monroe, on the south side of Kanawha river near Neal's Station; Justice Joseph Spencer's adherents

urged Vienna; and even ranger Williams, in compromise, desired the court of Justice near his plantation; while Clerk Stokely, who held the ear of all and the balance of power, pushed the claims of Newport, and finally prevailed, without reaping full benefits in a landed way from the location.

As a fact historical, below is introduced the legislative authority for these contending embrio towns:

VIENNA.

As early as 1, December 1795, was enacted in the following words its creation:

"That one hundred acres of land, the property of Joseph Spencer and Abner Lord, on East bank of the Ohio river in the county of Harrison, shall be, and they are hereby vested in James Pewtherer, Thomas Lord, Eleazer West, Isaac Williams, Samuel Beaumont, George Selden, Nehemiah Spencer, Samuel Hally and Asabel Griffing, gentlemen, trustees to be by them, or a majority of them laid off into lots of half an acre each, with convenient streets. and establish a town of Vienna.

As soon as one hundred acres shall be laid off into lots and streets, the trustees shall sell at public auction, after previous advertisement for three court days at the Court House, and convey the said lots to purchasers in fee, subject to the condition of building on each a dwelling house, sixteen feet square at least, with brick or stone chimney, to be finished fit for habitation within seven years from day of sale, and pay money arising from such sale to said Spencer and Lord, or their legal representatives. If the purchaser fail to build thereon, then the property is to revert to the owners for public sale."

This charter was partly repealed by an Act, 21 January 1799, section 2 of which read:

"That sixty acres of land, the property of Joseph Spencer, Abner Lord and Austin Nichols, in the county of Harrison, as the same are already laid off into lots and streets, on the east bank of the Ohio River, shall be

established a town by the name of Vienna, and that Thomas Lord, Eleazer West, Samuel Beaumont, George Selden, Samuel Hally and Stephen R. Wilson, gentlemen, shall be and are hereby constituted Trustees thereof."

This amending act had similar conditions as to building thereon.

NEWPORT.

By somewhat similar Act, 6 January 1800, Section 5, was established this town as follows:

"That fifteen acres of land, the property of John Stokely, lying at the mouth of The Little Kenawha river, so soon as the same shall be laid off into lots with convenient streets, be established a town by the name of Newport; and that William Lowther, Jacob Bennett, Isaac Williams, James Neal and John G. Henderson, gentlemen, shall be, and they are hereby constituted trustees thereof."

MONROE.

Section 8 of the foregoing act, ushered into charter another rival, named in honor of the President, in the following words:

"That twenty-five acres of land, the property of Hugh Phelps, lying at the place known by the name of Neal's Station on the Little Kenawha River, so soon as the same shall be laid off into lots, with convenient streets, be established a town by the name of Monroe; and that William Lowther, Jacob Bennett, Isaac Williams, James Neal and John G. Henderson, gentlemen, shall be, and they are hereby constituted trustees thereof."

"So soon as the purchaser of any lots. in either of said towns, shall have built a dwelling house thereon equal to twelve feet square, with a brick or stone chimney, such purchaser shall enjoy the same privileges that the freeholders and inhabitants of the other towns not incorporated shall hold and enjoy.".

Whilst those interested in at least three different tracts of land were pulling in as many separate paths, effort was made to put into effect the enabling act of 21 December, 1798. From the minutes preserved, and natural inference as to the misplaced or unfiled ones, we make extracts.

The Justices of Wood County, Hugh Phelps, Jacob Bennett, Thomas Pribble, John G. Henderson, Caleb Hitchcock, Abner Lord, Joseph Spencer, Thomas Lord and Ichabod C. Griffin met on the 12th of August, 1799, at the house of Hugh Phelps. The first five of these were commissioned under the territory of the mother county of Harrison, and the remaining four were named by the Governor at the time of the legislative creation of Wood. The five old justices objected to the four newly commissioned participating in the organization, and a motion was made to call on an attorney present, naming a Mr. Delarey,* whom the record says was "learned in the law," to direct them in their proceedings, which being the organization of the county was an important work. The motion prevailed, and Mr. Delarey was called upon by the court for an opinion. He first suggested the appointment of a clerk pro tem. Stephen R. Wilson was named by some of the justices, but not being generally approved, John Stokely was selected by a majority as the temporary officer.

Counsel Delarey then observed that there appeared an additional Commission, and that it was his opinion the Governor, neither in equity nor in law, had a right to add to the existing number, produced the Constitution of Virginia, as well as several other law authorities, to support his position, advising the four new magistrates to withdraw. The acting members decided this opinion correct,

* The records are so indistinct as to leave a doubt who this attorney was. It is often spelled in print Delacey. The name nowhere else appears as one of the practitioners in Wood County. In 1784 Henry Delarey was a Justice of the Peace. He was also at this period a Lieut-Col. in the militia, in the regiment of which William Robinson was Major, Benjamin Wilson Colonel and John P. Duval County Lieutenant. In the Deed Book of Harrison County in 1801, John Dealncey is conveyed land on Little Kenawha river, near Samuel Smith's survey, No. 8. It is probable he was the counsel called upon by the Court.

but the other four refused to recognize this duty, and Abner Lord and Joseph Spencer "dared any person to attempt to remove them, but," says the old record, "when William Lowther came forward and offered to swear in as sheriff, two of them abandoned the Court House."

Thereupon Hugh Phelps and the other old justices proceeded to organize the new county of Wood, and the entry upon the Minutes appears in these words:

"Whereas Hugh Phelps, Thomas Pribble, commonly called Thomas Tribble, Jno. G. Henderson, commonly called John Henderson, and Jacob Bennett, Gentlemen Justices, in and for the said County of Wood in the State of Virginia, agreeably to an Act of the Assembly of said State, passed 21st day of Dec. 1798, did meet at the House of Hugh Phelps, on the second Monday of August 1799, and then and there did swear in William Lowther as Sheriff in and for said county, and took bond of him agreeably to law, the Court having been legally organized, appointed John Stokely Clerk in and for said county, swore him into office and took Bond agreeably to law.

The Court further proceed and appoint as a seat for the Court House and other necessary Public Buildings to be fixed at a place well known by the appellation of Neal's Station, on Little Kanawha, upon the lands of Hugh Phelps.

The Court recommended Robert Triplett as a fit person for the office of Principal Surveyor of this county.

The Court recommended John Neal and Peter Misner as fit persons for the office of Coroner, that one of them may be commissioned as such for this County.

The Court recommended Herman Blennerhassett, Daniel Kincheloe and Hezekiah Bukey as Gentlemen, qualified for Justices, that they may be commissioned as such in and for this county.

The Court appoint John Shults and William Dearth constables in and for this county.

The Court order that the Court be continued at the House of Hugh Phelps until the necessary Public Build-

ings be erected. Ordered that the Court do now adjourn until Court in Course."

This is signed by Hugh Phelps as Presiding, and "Tested" by John Stokely as Clerk, W. C.

The Justices met again 2d September, 1799, and without transacting any business, adjourned till 8 o'clock of next morning, when the following entry appears:

"Agreeably to adjournment of yesterday, the Court was called at the House of Hugh Phelps, Esq. Justices present, Hugh Phelps, Thos. Pribble, Jacob Bennett and John G. Henderson, Gentlemen. The Sheriff made proclamation and opened Court about the hour of three o'clock in the afternoon. The Rev. Robert Manley, of the M. E. Church, came into open court, took the oath of Fidelity and gave bond agreeably to law for the true and faithful solemnization of Marriages. Ordered that he have a permit accordingly. Ordered that the Court do now adjourn until to-morrow at 8 o'clock in the morning."

On the 4th of September, 1799, Hugh Phelps, Jacob Bennett, Thomas Prebble and John G. Henderson opened court.

Ordered that notice be forthwith given Thomas Lord, Caleb Hitchcock, Ichabod C. Griffin, Abner Lord and Joseph Spencer, Justices, or such of them as may conveniently be found, that they may appear at the House of Hugh Phelps at the hour of 1 o'clock and take seats in Court and hear and determine certain matter and things.

Agreeably to order of the Court of this day, Sheriff gave notice to Jos. Spencer, Abner Lord and Ichabod C. Griffin, these being the only Justices that said sheriff could conveniently notify, who refused to appear.

The Court conceive it necessary that Herman Blennerhassett, Daniel Kincheloe, Hezekiah Bukey, John Neal, and Jacob Beeson be recommended as qualified to execute the office of Justice of the Peace."

In case of vacancy by death or inability, or the necessity of a greater number of magistrates being in commission,

the court, by law, named two persons to the Governor, as suitable, one of whom he appointed to the place.

Through the balance of September, October and early November, only one or two Justices attending at each, adjournments continue, till 11 November 1799, when were present Hugh Phelps, Thos. Pribble, Jacob Bennett and Jno. G. Henderson, who adjourned till next day, and then entered the following order:

"There not being a sufficient number of magistrates at October Court, no commissioner hath been yet appointed for this Court; wherefore the Court taking the earliest opportunity to appoint, do now appoint John Stephenson as Commissioner of this County."

The absentees and adjournments still continued, and here there is a hiatus in records, and an attempt to cross out preceeding pages. In the mean time, it is tradition and inference, there were held sessions of a minority Court, of the dissatisfied Justices, at Vienna, and at their several convenings, probably the missing ones, the two Lords, Hitchcock, Griffin, and Spencer, were passing orders. There other Court officers were chosen, and among them, Stephen R. Wilson, brother-in-law of Squire Joseph Spencer, was made Clerk. His subsequent attempt by Superior Court action, to secure the position, would indicate his plea to be a selection by a County Court not mentioned in the present records. In the case the minutes of the Vienna session may have been filed, and there remained to burn up in the Court House of Monongalia. This part of the Court no doubt selected Vienna, or Williamstown as the County seat.

The next step was in the Virginia Assembly, 10 January 1800, by the following quieting enactment:

"Whereas, it appears to the present General Assembly, that the Justices of the County of Wood have not as yet formed a court agreeably to the terms of the Act entitled "An act for dividing the County of Harrison, and that it is essential for the good people of the said County of

Wood that the said act should now be carried into full effect:

"1. Be it therefore enacted, That the Executive be, and they are hereby empowered to commission Four Justices of the Peace, who in conjunction with the Justices heretofore commissioned for the said County, a majority of the whole number being present, shall, on the second Monday of February next, meet at the house of Hugh Phelps, and constitute a Court, who are hereby vested with all the powers vested in the Justices of the said County of Wood.

2. Provided always, that this act shall not be construed as affecting the right of any person claiming the right to clerkship, or any other appointment made by the Justices of the said County of Wood, or any of them, but their claim shall remain subject to a decision before the Judiciary. And any officer who shall be displaced by the Court as established by this law, shall be, and is hereby, revested with his appointment whenever a decision shall be made in his favor by the Judiciary. All persons who may have acted erroneously under color of the said recited Act, are hereby indemnified for such transactions, so far as the Commonwealth might otherwise have been entitled to reparation, but this indemnification shall not extend to any case whatsoever of an injury done to any individual under colour thereof, who may take such measures to obtain redress as if this act had never passed."

In compliance with this legislative decree, the following appears upon the minutes, dated 10 March 1800:

"Pursuant to an act of the General Assembly, entitled an act concerning the County of Wood, passed the eleventh day of January in the year of our Lord 1800, the following Justices convened at the House of Hugh Phelps, viz: Hugh Phelps, Thomas Pribble, Jno. G. Henderson, Hezekiah Bukey, John Stephenson, Daniel Kincheloe, William Hannaman, Thomas Lord, Caleb Hitchcock, Abner Lord and Ichabod C. Griffin. The said Justices having been duly qualified, proceeded, took bonds of and

swore in William Lowther, as sheriff, according to law. The said William then made proclamation and the Court was opened according to law.

The Court, having been duly organized, proceeded and appointed John Stokely Clerk, by a majority of three, for the Court of said County, the said John Stokely then gave bond and security and was qualified according to law.

Nathaniel Davidson was made Attorney for the Commonwealth, with salary of $45 for a year from date; whereupon Davidson came into Court and made compliment of twenty dollars to be deducted out of said salary, when collected, towards building a Court House.

This completed the organization of the county, and properly dates its beginning, and also terminated the question of what justices constituted a legal court.

The minutes, 14 July 1800, read: "Agreeably to an order of the District Court, held at Monongalia Court House, at the last term, the Sheriff summoned the Court of Wood County to appear at the next district Court, to show cause on the first day of next term, why a *mandamus* should not issue to the said Justices directed, commanding them to restore Stephen R. Wilson to the office of Clerk of Wood County." The Justices then summoned were Pribble, Stephenson, Bukey, Hannaman, Woolf, Beeson, Jesse Lowther and John Neal.

The selected Clerk of the Vienna Justices still contended for his alleged investiture, as it is recorded in the minutes that a Writ of Mandamus was read and delivered to the Sheriff, directing the Court to restore this contestant to the office of Clerk, or show why they do not. The suit was finally decided against the applicant, and Stokley was secured in his position.

FIXING COURT ROOM.

In the same March 10 session, the records state, eleven Justices being in place:

"The Court proceeded and appointed the place for fix-

ing the Court House and other necessary Buildings at the dwelling place of Hugh Phelps, Esquire, or at the place known by the appellation of Neal's Station, or between the two said places on the west side of the Little Kenawha river."

Ordered that John Stephenson's vote be entered respecting the fixing of the Court House. His vote was that the Court House and other buildings be fixed at the House of Hugh Phelps, temporarily or until land can be obtained at the point and junction of Ohio and Little Kenawha rivers. Said Stevenson voted in the above with Thomas Pribble, Jno. G. Henderson, William Hannaman, Daniel Kincheloe and Hugh Phelps, for fixing the public buildings on the lands of Hugh Phelps, excepting as aforesaid.

Ordered that Daniel Kincheloe, Thos. Pribble and Abner Lord be appointed as a committee to lay off the particular spot on which the Public Buildings shall be fixed. The Court order that the Committee do lay off the said spot and report the same to the next Court.

At the session next day, eleven justices were again present, and the Court "ordered that it be entered that Hugh Phelps came into court and made a present of two acres of ground to erect the public buildings upon, which shall be laid off agreeably to the report of the committee, provided, nevertheless, that the dwelling house of the said Phelps shall not be comprehended within the said two acres. The said Phelps also engages to furnish 5000 feet of sawed boards for the use of the Public, to be applied to erecting said public buildings." A little later he came into court, assuming to have a ferry over the Kanawha river near the room in which the court was then sitting, and offered to ferry any and all persons across that may reside on the upper side of the river, *free of charges*, at all courts and elections. The court accepted the favors and returned thanks for the several donations made.

The exact site of the proposed public building cannot now be determined. Many of the older citizens believe it

to have been below the mouth of Neal's Run, in the vicinity of the old Bradford residence. Others maintain that it stood on the banks of the Kenawha, immediately above the ravine, near the western line of his lands, and that subsequent freshets carried it away along with other log cabins of that era which lined the banks at intervals as far as the block-house. Not far away, by either supposition, near the Kanawha river, beautiful in its primitive grandeur, stood the military post and cabin-group called Neal's Station, in honor of Capt. James Neal, a Revolutionary soldier and pioneer. At this period, five years after the close of the Indian war, the poplar and sycamore canoes lay quiescent upon the placid bosom of the Kenawha, moored near the spot, and bow and arrow and tomahawk hung unfeared upon the cabin walls over the hospitable door of the hunter-rangers, while the deer-hide latch-string hung out to invite a pull from any settler or caller.

As Gentleman Justice, Hugh Phelps took his seat upon an old puncheon bench or split-bottomed chair and opened court. It was an hour of proud independence. The few pioneer citizens of that day looked on with awe and reverence, while the bear, wolf, panther and nimble deer might have stared from the dense woods encircling and wondered what all this invasion of their ancient domain meant.

Col. Phelps was a large, robust pioneer, endowed with great energy and endurance, and he used his position and comparative wealth with liberality for the public good.

Opposite is presented an imaginative drawing, but one not far from fact, and in consonance with the log structures of that era, the dwelling and court room of the first presiding officer of our county. The memory of no oldest inhabitant in our boyhood could designate the site of it, but the records, as has been shown, leave inference it was near Neal's Run, and "in sight of the ancient ferry."

There met the Justices Gentlemen in the first decade to determine legal matters, and exchange views upon the

conflict of land entries, to barter hatchet claims, relate incidents of the late American Revolution in which many of them participated, and to describe the terrors and es-

COL. HUGH PHELPS' DWELLING—THE FIRST COURT HOUSE

Pen Drawing by J. H. Diss Debar.

capes of subsequent Indian incursions along the trail of the elm-bordered Kenawha.

In their home-made suits of jeans and flax, shaped in convenient ranger style of fringed hunting shirts, belted short-coats from which hung hunting knives, and in varied head covers of coon-skin caps, felt hats and bear-skin turbans, with open countenances, honest faces and greetings, they were unique, as this generation would view them, stalwart, social, brave and jovial cousins and friends, ready to welcome a new settler, swap land warrants, beaver and wild pelts for powder, shot, calicoes or flint rifles, or administer law without technical environment, on the basis of common sense and unentangled equity. They had many virtues; inflexible integrity, for which as descendants we honor their memories and herein

historically inscribe their names. Vanished are their dwellings and the cabin court hall, and at the opening of this second century even the exact site thereof is not only unmarked by stone or tablet, but unknown.

At the April Term, 1800, the committee authorized to fix a proper place for the erection of buildings, made report, upon which there were six of the bench voting to affirm and six opposed.

There were present at the sitting 13th October, 1800, eleven members, as follows: Hugh Phelps, Thomas Pribble, William Hannaman, Jno. G. Henderson, Abner Lord, Hezekiah Bukey, Thos. Lord, Joseph Spencer, Joseph Cook, Caleb Hitchcock and Ichabod C. Griffin. This entry appears:

"Whereas, there never has been, under the late act of the General Assembly, passed on the 11 day of January, 1800, a permanent place fixed on and appointed to erect the Public Buildings of the County on, It is therefore ordered by the court that the necessary Public Buildings for the County be erected on the land of Isaac Williams, on the Ohio river opposite to the mouth of Muskingum river near where said Williams' Barn now stands."

Ordered that the next court to be held for the county, be held at the house of Isaac Williams. Ordered that the Court do now adjourn."

The Court was unanimous, except Joseph Cook, respecting the Court House being removed to Isaac Williams. as he opposes it. The Court do now adjourn until court in course, to the house of Isaac Williams opposite the mouth of Muskingum."

This was signed by the Justice presiding, Thomas Lord, and below on the same page of the minutes was:

"N. B. The above and foregoing record of the proceedings of this day is Ironious (erroneous) and not true, though wrote according to the order of the then sitting Court, particularly the part respecting the removing of the Court House, or Seat of Justice, and the minutes was

signed without reading or having been previously read. This I certify, Oct. 13 1800."

Teste, JOHN STOKELY, Clerk W. C.

Notwithstanding this clerical statement, the Court did meet, Nov. 10, at the designated home of pioneer Isaac Williams, and the records show that:

Jno. G. Henderson moved to adjourn Court to the house of Hugh Phelps. Those favoring were: Hugh Phelps, Daniel Kincheloe, Jacob Beeson, Thos. Pribble, Reece Woolf, John Neal, William Hannaman, Jno. G. Henderson, Jesse Lowther and John Stephenson, 10. Those opposing said order were: Joseph Spencer, Abner Lord, Thomas Lord, Caleb Hitchcock, Hezekiah Bukey and Joseph Cook, 6.

The order is as follows: "The Court proceded to reconsider the adjournment of the last Court to the house of Isaac Williams, which they consider to be a measure very injurious to the body of people in this county, embarrassing to the Judicial Proceedings, inimical to the harmony of the people, and adopted with sinister views against the interest of the County at large. Thereupon it is ordered that Court do now adjourn to the House of Hugh Phelps, at 9 o'clock tomorrow." This was signed by Hugh Phelps as presiding Justice.

Accordingly next day, at a full court assembled at the designated house, it was ordered and unanimously agreed to, that "the Point, above the Mouth of the Little Kanawha river, at the Union of said Kanawha and Ohio rivers, on lands owned by John Stokely, is the proper place for the Seat of Justice for said County, and it is accordingly ordered that the necessary Public building be erected thereon. John Stokely voluntarily agrees to give the Court, for use of the county, as much of said land as will be deemed sufficient for the said purpose by a Committee to be appointed by the Court, so as not to exceed two acres, and to make a sufficient deed for same when required by the Court, with a promise to revert to

him, said Stokely, whenever the Seat of Justice is removed from his ground. And it is further unanimously agreed that they will support the above order, and never will raise any objections to the same. It is also agreed, and is hereby ordered, that the several donations heretofore made by Hugh Phelps to the Court for the use of the County shall now revert to him, and that the Court relinquish all claims to the same. Witness our hands. It is to be understood that the Justices here subscribed do not object to the legality of these orders." Signed on the Minute Book by Hugh Phelps, Jos. Spencer, Jno. G. Henderson, Daniel Kincheloe, Caleb Hitchcock, Thomas Lord, Jacob Beeson, Ichabod C. Griffin. John Stephenson, Jesse Lowther, Reece Woolf, Joseph Cook, William Hannaman and Abner Lord, 14 Justices.

"William Hannaman, Edward Stephenson, and Stephen R. Wilson were appointed a committee to view and lay off grounds suitable for Public Buildings, to be erected upon at the mouth of Little Kenawha, and report same to next Court.

"Ordered that Court do now adjourn to the Point at the upper side of the Mouth of the Little Kenawha river until Court in course." This was signed by Justice Phelps acting for the Court.

Deed book No. 1 has the following, as the report of the committee on public grounds:

Agreeable to an order of Wood County Court, made the 12th day of November 1800, we, Stephen R. Wilson, William Hannaman and Edward Stephenson, have this day viewed and laid off the ground most proper for erecting the Public Buildings upon for said county, which is situate as follows, viz: Beginning at a stake near a marked Cherry Stump about three hundred and fifty-five feet from the Ohio river and running thence south forty-four degrees West 74 feet to a marked White Walnut tree on the banks of the Little Kanawha river, North forty-six degrees West one hundred and four feet, thence 74 feet to the beginning stake.

In witness whereof we have hereunto set our hands this 13th day of November, 1800.

STEPHEN R. WILSON,
WILLIAM HANNAMAN. } Committee.
EDWARD STEPHENSON.

Recorded agreeably to the order of the Court made Dec. 8, 1800.

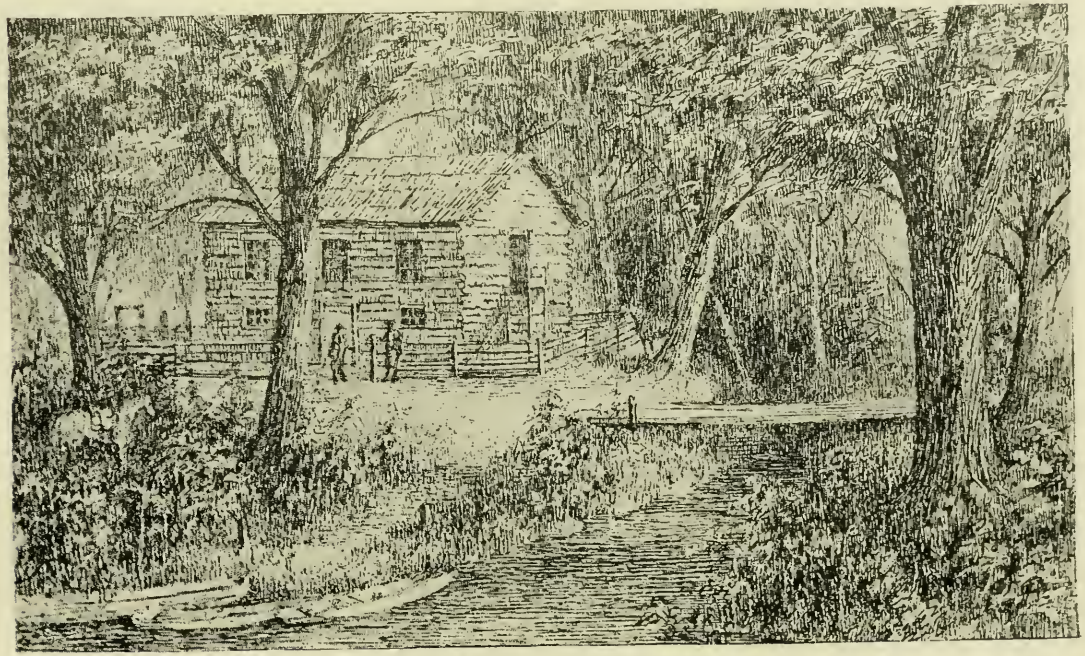
The Justices Minutes, on the 6 April, 1801, have this entry: "Ordered that George D. Avery, John Stokely, Stephen R. Wilson, Hezekiah Bukey, Joseph Halley and William Enoch be commissioners to promote and receive subscriptions for purpose of erecting Public Buildings at the mouth of the Kanawha, and report their progress at next June Court."

Diligent search fails to reveal among the scant files preserved, or upon the records anywhere, the original or copy of the report of the building and soliciting committee. The primitive Temple of Justice was put into existence, and as no allowance was made by the court for its erection, it is properly to be inferred that the pioneer few met the expense from their individual funds.

These grounds covered two acres, and were along the river above and below Juliann street, along whose foot the winding Rifle Run, now filled up, passed across First street and into the Kanawha current. Over this ravine for years rested wide poplar gunwales, a primitive bridge, used by lawyers, clients, judges and citizens to and fro between court house and clerk's office and "The Tavern" at the Point.

Here, near deep pawpaw thickets which sheltered the horses of witnesses, plaintiffs, defendants, jurors and the settlers from sultry summer rays, and in sight of many canoes moored at the run's mouth, under wide-spreading elms, was erected the first building owned by the county. Hewed logs were to be used for walls and puncheon boards for a floor.

This primitive building is still standing, and the busy population of our city to-day, while rushing across to



FIRST PERMANENT COURT BUILDING.
ON RIFLE RUN, 1800 TO 1817.

Pen Drawing by J. H. Diss Debar.

South Parkersburg, upon the Kanawha iron bridge above, scarcely recognize the structure as one built of hewed logs from the near-by forest nearly a hundred years ago. It is owned by Mrs. Leonora G. Rex, a descendant of pioneer John Gibbens. Many years ago it was weatherboarded and later tinroofed, and since was used by the Rex Hardware Company as a warehouse. It is a dilapidated structure, in the march of improvements neglected by the Council, and which should be transferred to the City Park, restored to enduring shape, as a souvenir of olden days. It might properly be the Museum Hall, under charge of a County Historical Society, for the collection, preservation and exhibit of curios, Indian relics, pioneer heir-looms, and antique souvenirs now unseen and unprized by descendants of pioneers of Wood County.

If the old walls could talk, no doubt many interesting stories would come to light in which the legal talent of pioneer days participated, and in which defeat to plaintiff or defendant meant as much in the way of chagrin or disappointment as do the verdicts of the present day.

Doubtless the voice of the eloquent Philip Doddridge, as well as of Edwin S. Duncan, Jonathan Jackson, Judge Lewis Summers, Blennerhassett, Capt. James Neal, Lewis Cass, Gen. Joseph Spencer and Sheriff Thos. Tavenner resounded through the open windows into the numerous branches of the huge encircling elm and ghostly sycamores. In front of the court building slaves were put up at sale and cried off to satisfy some debt incurred by the master or where estates must be settled and a sale of the blacks seemed necessary to complete the distribution of the assets. Among these is recollected Blennerhassett's favorite servant, Ransom Reed, who brought the trifling sum of thirty-five dollars.

The minutes show innumerable adjournments from 1800 to 1815, the completion of the First Court House on Public Square. The first year Presiding Justice Phelps had the honor at his home below Neal's Station; Stephen R. Wilson in 1801, shared the privilege with him; Caleb Bar-

ley and Edward Stephenson in 1802 and 1803; and Bailey principally in 1804, receiving therefor $15 for use of house; James G. Laidley in 1805; John Stephenson, Phelps and Bailey in 1806; Thomas Neale and Lovett Bishop in 1807; John Neale and Thomas Neale in 1808; John Neale in 1810, for which he was allowed the munificent sum of one dollar per day; Thomas Neale again in 1811; he and in 1812 and others 1813; and Caleb Bailey in 1814, while constructing the new court building.

John Stokely, in 1799 and later, lived in a cabin of logs, near what is still called "Snakeville Spring," on one of his many tracts of forest land. There he kept, taking them home with him at the close of each day during the Justices courts, the minutes to be entered in a thin, leather-backed home-made volume. This primitive building might properly be considered the first clerks-office of the new county. The old site is readily defined by existing unhewn stone corners in the old foundation, and should be marked by a marble shaft designating it as the spot where the clerks office was in the days of disputed organization and seat location. The acreage is almost in sight of the City Park and Electric-car line, and the improvements of an expanding Parkersburg are rapidly approaching the spot.

Justice George D. Avery, 3 April 1809, was made superintendent to cause the erection of new steps to the court house, and subsequently, in June, Nimrod Saunders, jail deputy, was allowed $24.12½ for the building, Jonas Beeson $5.20 for pine boards, and Charles Price $5 for joists for same. This stairway was on the outside, leading from the ground to the upper story or court room. Nov. 8, 1810, the same Justice was authorized to purchase a stove and pipe for the court use, and glass for the repair of the windows, "should the appropriation for these purposes at last court of claims be sufficient." So, it is easily inferred that the court room, if not the prison below, had the sunlight of pioneer days flowing in upon the Justices, and that they were honest and economical

enough not to exceed the appropriations, even in small matters.

The old court house structure and lot was bought of Deacon Dana of Belpre, O., by Samuel Rex, is still extant, has been covered by weatherboards, and cost him $3500. The mouth of Rifle Run, which once passed out its current into the Kanawha near this cabin, has disappeared in the march of improvement, with the poplar gunwale bridge spanning it.

In the session of 1810–11 the delegates from Wood county in the popular house of the Virginia Assembly were John Neal and Jacob Beeson, sturdy, able, vigilant pioneers, and the peers in acumen and integrity of any from the Tide-water section.

The Richmond Enquirer of that date states that, "Agreeably to a resolution of the last session most of the members appeared, partly dressed in domestic manufacture."

Among those were our representatives. Doubtless, upon their own plantations were raised the sheep and spun the wool and woven the Virginia or Kentucky jeans which gave them stalwart and impressive personnel as they leaped from their steeds of flesh and blood, after a protracted journey over the state roads and entered the principal tavern or hostelry of Richmond, ready for their part of legislative duties. They had left a constituency and opponents somewhat distracted and divided on the question of county-seat location and court house building. The Juntas had held meetings, framed addresses and petitions, each determined to win.

Friday, Dec. 7, petition was presented in the house from William Robinson, Jr., and sundry citizens from Wood county, praying the passage of a law authorizing the Justices of the county, when they shall think proper, to erect a Court House on the public square, in the town now laid off by the name of Parkersburg, and thereafter to hold the courts of the county therein."

Also petition from William Robinson and Mary, his

wife, praying that the taxes assessed upon certain lands in the County of Wood may be remitted in favor of the petitioners, and that a town as now laid out on said lands may be established by the name of Parkersburg.

The Committee to which reference was made, 12 Dec., 1810, reported as its opinion that "the petition of Robinson and wife praying that an act be passed exempting them from the payment of taxes on certain lands in the county of Wood, which they recovered by a final adjudication in the Superior Court of Law, holden for said county at the September term in the present year, of a certain John Stokely and Hugh Phelps, which taxes have been paid by the said John Stokely and Hugh Phelps, in the name of Thomas Thornton, is reasonable."

In the House of Delegates, 13 Dec., the commitee resolved, "as the opinion of this committee that the petition of sundry inhabitants of the county of Wood, praying that an act may pass establishing the lots and streets as already laid off near the town of Newport, including the same, into a town by the name of Parkersburg, and authorizing the Justices of said county, whenever they shall think proper to do so, to hold the courts of said county in Parkersburg instead of Newport, which is to be added to and made part of the said town of Parkersburg, *is reasonable.*"

The session of the Assembly in 1811–12 developed more agitation and some bitterness among contending factions in the county as to the proper location of the seat of power. Saturday, 14 Dec., 1811, there was presented in the House a petition of the inhabitants of Wood county, praying a removal of the seat of justice for the said county from the town of Parkersburg, which petition being partly read, a motion was made and agreed to by the House, that the reading thereof be stopped, as containing matter highly indecorous and scandalous, reflecting on the character of a member of this house, and couched in terms unworthy of its dignity.

The result was that a motion to withdraw the offensive petition was granted.

The influence of Vienna, Monroe, and old Newport from the south side of the Kenawha, continued to agitate removal for the next two years and longer. The waves of discussion from the pioneer taverns at the "Point," at Neal's Station, and the cluster of cabins at Bellville and the settlement of Williams and above, reflected their force into the legislative halls.

NEW COURT BUILDING.

The Justices having decided by a majority of votes the proper location of a building, entered upon their minutes, 5 Nov., 1811, this record:

"The Court, taking into consideration the decayed state of the Court House of this County, and the great inconvenience resulting from the Clerk's office and Jail now building, being at a considerable distance from the place of holding the present court, as well as the impropriety of holding courts in a building the title to the lands on which it stands being in dispute,

It is therefore ordered that James G. Laidley, John Stephenson and Ichabod C. Griffin be appointed commissioners to let to the lowest bidder the undertaking the building a Court House, to be built forty by forty feet through the center each way, two stories high, of brick, stone, lime, mortar, timbers, plank, nails, glass and iron, on such part of the public square in the town of Parkersburg as the said commissioners may fix upon. And the said commissioners are authorized and required to take bond with good security, payable to the Justices of this County, in double the sum agreed upon, conditioned for the faithful performance of the contract so entered into, according to the Act of Assembly, entitled an Act to establish a Town in the county of Wood, and for other purposes passed January 11, 1811. And it is further ordered that the Commissioners aforesaid bind the undertaker, or

undertakers, to finish and complete said court-house on or before 1st August, 1813. And the Court, considering that, inasmuch as the whole tax for building the Clerk's Office and Jail aforesaid has not been collected, and it would be most convenient to levy a tax for building said Court House in three years; It is ordered that one fourth of the sum agreed upon for building said Court House, be levied and collected in the ensuing year, and the balance to be levied and collected one half in the year 1813, and the other one half in the year 1814; and that the commissioners report, January term next, their proceedings."

In due time the commissioners reported that, "having previously made known the day of sale, through the "Bye-Stander," published in Clarksburg, and the "Western Spectator," in Marietta, and other means they had let the building of a Court House to Bennett Cook, for the sum of $3,168.75; that they have fixed on the center of Court Street one foot beyond a line with the Clerk's office, and fronting the Ohio river, as the most eligible spot for the court house, and that they have taken Hugh Phelps, Jos. Cook, John Neal, Isaac Morris and Jonas Beeson securities in the bond for the faithful performance of the contract.

This order and contract was rescinded, 12 April, 1812, and Isaac Morris, Stephen R. Wilson and Geo. D. Avery were made commissioners to let a building, 45 by 45 feet, but similar in other respects. These second commissioners to the court of 1 June, 1812, reported that:

"By virtue of an order of the court as directed, passed at May term 1812, we have, at public sale at the door of the present Court House, sold the undertaking of the building of a new court house on the Public Square in the Town of Parkersburg, to Caleb Bailey, for $3,950, to be finished agreeably to the order of the court; and we have also taken bond and security for the performance of the same."

Isaac Morris,
Stephen R. Wilson,
Geo. D. Avery.

ROBINSON DEED TO THE PUBLIC SQUARE IN 1811.

This Indenture, made this first day of May, in the year of our Lord one thousand eight hundred and eleven, Between William Robinson Jr. and Mary his wife of Pittsburg in the State of Pennsylvania, of the one part, and John G. Henderson, Alexander Henderson, Ezekiel McFarland, Daniel Kincheloe, Reece Woolf, Thomas Tavenner. Hugh Phelps, John Neal, George D. Avery, Richard Neale, Robert Edelen, Peter Anderson, Bennett Cook, Joseph Spencer, Ichabod C. Griffin, Hezekiah Bukey, John A. Kinnard, Robert Triplett, Thomas Maley, John Stokely, and Robert Wells, Gentlemen, Justices of the Peace within and for the County of Wood in the State of Virginia of the other part,

Witnesseth, that the said William and Mary, for and in consideration of one dollar to them in hand paid, have bargained and sold and by these presents do grant bargain and sell and convey to the said Justices and to their successors in office, for the use of the County aforesaid, the public square in the town of Parkersburg, containing exclusive of streets and alleys, one acre and one third of an acre, bounded eastwardly by lots No. 70, 71, 87, 86, westwardly by the lots No. 72, 73, 84, 85, northwardly by William's Court and southwardly by Phillip's Court. To have and to hold the said public square with its appurtenances to the said Justices and their successors in office, forever to and for the uses aforesaid.

In Testimony whereof the said William and Mary have hereunto set their hands and affixed their seals the day and year above written.

William Robinson, Jr. (Seal)
Mary Robinson. (Seal)

Signed sealed and delivered in presence of
Samuel A. Roberts.
Samuel Roberts.

Received on the day of the date of the above Instrument of Writing of the above mentioned Justices of the Peace

for the County of Wood, one dollar lawful Money, being the consideration in full above mentioned.

William Robinson, Jr.

Pennsylvania, ss:

(Seal)

Before me the subscriber, President of the Courts of Common Pleas of the fifth Judicial District of the Commonwealth of Pennsylvania, personally appeared the within named William Robinson and Mary his wife, and in due form of law acknowledged the within written deed to be their act and deed, and as such desired the same might be recorded, she the said Mary being of full age and being examined separate and apart from her said Husband declaring that she executed the same without constraint or coercion of her said husband.

In Testimony whereof I have hereunto set my hand and seal this first day of May, Anno Dom. one thousand eight hundred and eleven.

Samuel Roberts.

This is followed by certificate under seal of the Prothonotary of the Court, as to authority and signature of the President of the Courts.

PETITIONS TO THE ASSEMBLY.

In the House of Delegates, 10 Dec. 1813, was presented a "Petition from a number of the citizens of Wood, representing that a difference of opinion exists among the people of that county, with respect to the present seat of Justice, and praying that certain persons therein mentioned, be appointed commissioners to fix on the most eligible position, having due regard to the local situation of the county, as well as the rights and interests of the people; also that a law may pass authorizing the court of Wood to levy in next levy a sum sufficient to pay said commissioners a reasonable compensation for their trouble.

The same session and day, was offered adverse petition, "of a number of other citizens of the county, objecting to

the appointment of the persons proposed as commissioners by the last mentioned petition, suggesting the propriety of selecting commissioners from the several extremities of the County; and observing that a County levy is not necessary to make such commissioners' compensation, a sufficient sum having been raised already, by voluntary subscription."

Another petition in the House was presented, 14 December 1813, from Wood, that a law may pass directing removal of the seat of Justice of said county, from the town of Parkersburg, to some more convenient and central place, and that the collection of money levied for the present year, intended to defray any part of the expense of erecting the new, unnecessary and extravagantly expensive Court House, about to be built, be prevented."

A bill was passed, 13 Jan. 1814, in one of the branches, and ten days later passed both houses, to fix a proper place for the Court House, as follows:

CHANGE OF COURT LOCATION.

Act of 24 Jan., 1814.

"Whereas it is represented to the General Assembly that the inhabitants of the County of Wood labor under great inconvenience, by being compelled to attend their court at the place where it is now holden,

Be it therefore enacted, that Joseph Martin, and Joseph McCoy, of the County of Ohio, John Henderson. John McCulla and Thomas Hughes, Sr., of the County of Mason, gentlemen, be and they are hereby appointed Commissioners—authorized and required to ascertain and fix on the most proper place for holding courts for said County, having regard to the local situation and public convenience; and provided the Court of said County shall be removed from the place where it is now holden, they are to lay off and assess the value of two acres of land at the place so ascertained; whose duty it shall be, after having performed the services hereby required, to make

report thereof to the court of said County, to be there entered of record; and from the time of the return of said report, the title of said two acres of land shall be vested in said County for use of the same.

That if said commissioners or a majority of them should fix upon any situation other than where the court of said County is now holden, * * * that so soon as a sufficient subscription shall be raised by, and competent funds procured by voluntary contributions, consisting of money, labor, or material, for purpose of erecting a court house and jail at the place aforesaid, it shall be lawful for Peter Anderson, George Creel, Anthony Buckner, Alexander Henderson, John A. Kinnard, Ezekiel McFarland, Thomas Maley and Adam Deem, any three of whom may act, who are hereby required to contract and agree with some person or persons for undertaking the said buildings consisting of such dimensions and materials as the said commissioners* may direct, taking bond and security.

That so soon as said buildings shall be completed, report be made to court and entered of record, and the said court, at end of the term to which said report shall be made, shall adjourn to the Court House at the place so fixed, and to the buildings erected thereon in pursuance of this act, whereupon the Court of said County of Wood shall thereafter be holden at said place.

That as soon as the said court shall be adjourned as aforesaid, the said Commissioners, or a majority of them, shall, and they are hereby authorized and required to sell, for the best price that can be obtained, and upon such terms as they think best, the public property in the town of Parkersburg, giving at least two months previous notice of such sale by advertising same at the door of the old Court House in said town. That it shall be the duty * * * to apply the money produced by such sale toward paying the valuation of the two acres of land aforesaid and defraying all necessary expenses which may have accrued in the buildings aforesaid, in the first place; and

*Allowance to the commissioners, $3 per day for time employed.

to divide the residue thereof amongst all such persons as have voluntarily contributed thereto, in proportion to their respective contributions; but should the residue exceed the sum subscribed, then the surplus shall be applied to such county purposes as the Court of said County may direct.

COMMISSIONERS REPORT.

1 April 1814.

A report of the Commissioners appointed to ascertain and fix the proper place of holding the courts of this County was returned in words and figures following, to wit; which report is ordered to be recorded:

To the Worshipful Court of Wood County:

The undersigned, by an act of the General Assembly of Virginia, passed the 24th of January, 1814, entitled an act appointing Commissioners to ascertain proper place for holding courts in the County of Wood and for other purposes, having been appointed Commissioners for the purpose aforesaid, and having attentively examined and considered the subject matter to us assigned by said act, having had due regard for the local situation and public convenience of said County, as well from the present as probable population thereof, beg leave to report that they are unanimously of the opinion that the public square in the Town of Parkersburg as now appointed, is the proper and most suitable place for holding the courts of said County.

Signed.
- Joseph Martin, Joseph McCoy. } Ohio County.
- John Henderson, John McCulloch, Thomas Hughes Sr. } Mason County.

SUIT AGAINST CONTRACTOR BAILEY.

Upon the court minutes, 2 January 1815, are the words:

"It appearing to the Court that Caleb Bailey, the undertaker of the new court house upon the Public Square in the town of Parkersburgh, hath failed to comply with his said undertaking by building and completing the said Court House, within the time stipulated in his contract; it is therefore ordered that James G. Laidley and Joseph H. Samuels institute a suit upon the bond of said Caleb Bailey, in the Superior Court of Law of this County."

Both at the March and April sessions of 1816, it was concluded that the old court building on Kenawha street, was "out of repair and unfit for use," and an adjournment was ordered to the building erected on the Public Square, by Caleb Bailey.

To this, pending a suit, the contractor demurred, and 3 Feb. 1817, the court entered upon its minutes:

"Whereas a contract was entered into by and between Caleb Bailey and the Justices of Wood County for the building of a Court House, in said County, and

Whereas, a suit was instituted in the Superior Court of said County against said Bailey and his sureties for non-performance of contract, which said suit is now pending in said court, and

Whereas it appears to this court that the said Bailey has nearly completed his said contract in building said Court House,

It is therefore ordered that the Court doth now receive said building, and that the sheriff of the County take possession thereof, and that the Attorney for the Justices of the County dismiss suit against said Bailey and securities, at the next term of said Superior Court, at cost of said Bailey on the said Bailey completing the residue of the said contract."

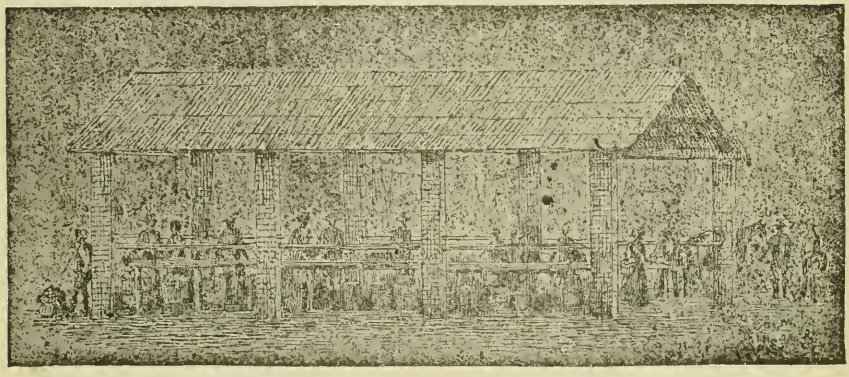
In June 1817 Isaac Morris, James H. Neal and Joseph H. Samuels were authorized to have the Buildings on the Public Square enclosed with a suitable fence, and eighty

THE THIRD COURT HOUSE.
1817 TO 1860

Pen Drawing by J. H. Diss Debar.

dollars was appropriated for the expense thereof. The fence was one made by swinging iron chains from many posts, and having three turn-styles, double ones at front and single ones at side approaches near the clerks offices.

The engraving on opposite page presents a fairly accurate picture of the first substantial Court House. In front grew up immense locust trees, and at the sides, dropping at proper season their rustic fragrance, and later their leaves over candidates for office, and the deputy sher-



Pen Drawing by J. H. Diss Debar.

THE VILLAGE MARKET

iffs, constables and auctioneers who cried-off personal property to the highest bidders on court days, very much as they do now, eight tenths of a century ago.

The court room was fitted up in the plainest style. The platform or judicial bench was four feet high and extended across one entire end of the building. This was necessary, as there were at quarterly terms often twenty Justices in attendance at once—every magistrate in the county being a judge. The jury hall was in the second story, and approached by a narrow stairway from one corner of the court room below. It was devoted, by assent of the custodian, to society and committee meetings. The first Masonic Lodge, instituted by Judge Summers as Grand Master of Virginia in 1819, held its meetings for years in this

tyled chamber, and it is asserted that Ephraim Bee, the humorist politician and legislator, in the midnight hour oft gathered the dignified and sedate novitiates of local prominence and the legal lights of other counties there to enjoy the mysteries and deep secrets veiled in the order of E. Clampus Vitis, while his solemn voice uttered imperious-mandate and the victim became the center of mirth and laughter.

In the rear—shown in above separate cut—subsequently was erected, at expense of the city, a Market House. The Jail was across Market street, on the site of the present one, or perhaps a little South-west on the prison lot. It was of stone as far as the prisoners quarters, and of brick for the family of the Jailor. It is said that this jail was built by Peyton Butcher and Charles Price.

Upon either side of the court edifice were one-story brick buildings, used respectively for the County and Circuit clerks. The space between the Court House building and the clerks' offices was about twelve or fifteen feet. Just back of these buildings, extending along Market street, was located the market house with its brick pillars and low roof, eves extending out beyond the pillars, furnishing a shelter many feet outside of the house proper. The space surrounding the building was enclosed by a chain fence, consisting of posts from which drooped one single line of chain, and here and there a turn-stile, that allowed egress and ingress to the then up-to-date lawn, and served to prevent the cows from making it a trysting place, although the hogs that were loose in the town could pass under with ease, but at the risk of being cornered by some of the idle boys who were ever ready to mount their backs and ride at break-neck speed to the chain fence, where rider and hog would part company, the hog passing under the chain and out into the domain of liberty and the boy sliding off onto the ground with a heavy thud. As the warm days of summer came on and work in the clerks' offices grew slim or the clerks grew tired and weary of indoor life, the shady space between

the buildings became a place of recreation and games, and the clerks, lawyers, editor, and other prominent men of the village could be often found engaged in the game of marbles, and the voice of Armstead Moss, James J. Neal, Alexander McD. Sterret, A.G. Clark, Pat Kiger, John R. Murdock, Cincinnatus J. Neal, the Jackson boys and others, most of whom have long since crossed the silent river, could be heard using the boyish phrases: "Knuckle down," "No hunching," "Who picked up my taw?" "Get back to the line." In the rear of this scene, upon the dirt floor of the old market house, could be heard the voices of the younger set as they played "Rolla Bola," or "Four hole marble," and Kinnard Snodgrass, A. F. Gibbens, Ed. P. Chancellor, Arthur H. Chevalier, Albert K. Leonard, Gordon B. Gibbens, Charlie B. Smith, Jos. B. Neal and other boys all hollowing at once: "My turn next," "Stop your hunching, you took two spans," "You're out of the game." Back of the old court-house and near the market house stood the whipping post, and the writer of this has pictured in his mind to this day, the appearance of a thief, one Bodine, who was sentenced to be publicly whipped for robbing the clothesline of one of our citizens, L. P. Neal. As the Sheriff, Uncle Till Cook, with a good strong whip, began the execution of this sentence, and as the red streak appeared after each stroke of the whip, we were convinced that it was an awful bad job to be caught stealing from a clothesline.

THE OLD GIVES WAY TO THE NEW.

The third seat, or first permanent court house, has been the place of organization for the Baptist, Methodist, Episcopalian, and Presbyterian church societies. There elders, deacons, stewards and vestrymen were elected. "Its unblessed secular bell summoned all the congregations," in turn, and invited the public to religious worship. The great theologian and orator Alex. Campbell there frequently delivered his impressive sermons, but

failed to gather into the fold enough members to form a church organization.

On 1 Dec. 1817 the sum of four hundred dollars was appropriated to procure a suitable bell, and David Blair commissioned to purchase and put it in place. That metalic sounding board had a history interesting to moralize over. Beneath its space in the cupola of the Temple of Justice not only wrangled lawyers, who have become distinguished for oratory and legal lore, both in forum, and legislature, and the bar of an imperious variable public opinion, but divines whose fingers on the sacred page pointed erring souls who had fractured superior law, to a court more merciful than human judges; and here at its signal met the reformers of every phase in religion, temperance, politics, exhibitions humorous and minstrel and miscellaneous. Whig and Federalist from its elevated broad platform, discussed the principles of their opposing theories, and in forensic discussion urged the voters, one to marshal under the banner of "Men, not Measures," and the other "Measures, not Men."

Here, in forum and at the bar, orated and pleaded with fervor and magnetism talented and distinguished public men of home and distant sections, who have long gone to their reward. Isaac Morris, terse, independent, venerable, who went oft by viva-voce suffrage to the Virginia Assembly; James G. Laidley, Prosecutor and Capt. in the war of 1812, Joseph H. Samuels, and Joseph Spencer, Daniel G. Morrell, preacher, teacher, lawyer, and court scribe, Gen'l John Jay Jackson who oft from its platform addressed the people on fundamental themes and leading issues to inhabitants west of the mountains; Jacob Beeson Blair who later represented the District in Congress when Lincoln gave into his hands the parchment of Statehood, Peter G. Van Winkle who filled so well a Senatorial seat in political storm, Snodgrass, Mayberry, Stephenson all gifted and learned in the law, Judge Wm. L. Jackson, Lt. Gov. of Virginia, and a host of others, who here and elsewhere won distinction and success.

THE FOURTH COURT HOUSE.

1860 TO 1899.

In the process of time, with its historic associations, its shaded surroundings, and its pristine architecture, like the pioneers who caused its construction, by the edict of another generation, and the inexorable law of decay, the old court building gave way to its successor, the recent one, upon the same public square on the soil of which Allen had once planted, cut, husked and garnered the maize of the Indian.

Another step forward in the line of progress, and the command went forth that a larger, more convenient and handsomer structure should take its place.

Down came the monument of pioneer days and the same cry went up from some of our citizens that fills the air today: "Too expensive, the old one is good enough." "We don't need it."

The fourth court house, engraving of which is given on opposite page, was ordered to be erected in 1859, and completed in 1860. It cost $25,000, and at its completion was the finest then in the western part of Virginia. It was begun by order of the court and first occupied in November, 1860, ere the storm of war swept the Nation.

It is of record in the County Order book, April Term 1859, page 286:

"The Justices of the County, having all been summoned to attend the court to consider the propriety of erecting a new public building for the said county, and a majority of said Justices being present, decide to erect said building; whereupon John R. Murdock, William L. Jackson, James Cook, John Hall, Jas. M. Jackson, H. P. Dils and Josiah Shanklin, Gents, are appointed Commissioners to report a plan and specifications of said building, together with the probable cost of the erection of the same, to the next levy Court of this County."

On the first day of the June term report was made in these words:

"To the Justices of Wood County Court:

The undersigned, appointed at the April term 1859, to report plans and specification of new public buildings to-

gether with the probable cost of the erection of the same, beg leave, respectfully to report:

That they submit herewith ground plans and front elevation for the Court House to occupy the present site of the Jail, and to front on the line of Market street, as extended through the public square, the estimated cost of which will not, in the opinion of your committee, exceed $14,000.

Your committe recommend the erection of a new jail, inasmuch as the present one is both unsafe, and so constructed as to render it difficult, if not impossible to ventilate, and because your Committee deem the site of the same the most suitable for the erection of the new Court House.

Your committee have selected a lot convenient to the present Public Square upon which to erect the proposed new Jail, having a front upon Court Street of 85 feet, and a depth of 170 feet, which can be purchased at the present price of $800, from Beverly Smith, Esq. This lot has, in the opinion of your committee, at least two hundred dollars in value of spare dirt, which can be used in making the fill in the rear of the new Court House.

Your Committee herewith submit a plan for a new Jail, the estimated cost of which will be about $5,000.

Inasmuch as your committee have selected the present site of the Jail as the location of the new Court House, they recommend that the new jail be first erected, that the same be commenced and completed during the present year, and that a levy be made to the amount of $4,000 for the purpose.

John Hall, Jas. M. Jackson,
Jno. R. Murdock, Josiah Shanklin,
James Cook, Wm. L. Jackson,
H. P. Dils.

"Whereupon," continues the record, "James M. Stephenson appeared, and moved in court to postpone the consideration of the subject of the public building until the next levy term of the Court, which motion being argued

and considered, is overruled by a vote of eleven to seven. And thereupon the plan of the Court House presented by the Committee is unanimously adopted. And the question of locality of said Court House being considered, then between the location fixed by said committee in their report—namely, the site of the present Jail—and a point commencing on the North West side of Market street, and running toward the present Court House—the Court, with one dissentient only, determined on the latter point as the locality of the said new Court House."

"It is, therefore, ordered that John R. Murdoch, James Cook, Jas. M. Jackson, Wm. L. Jackson, and Edward Tracewell, Gents, be and they are hereby constituted and appointed a Committee to contract for the construction and erection, and to superintend the building of the new Court House of this county, and the repairs to be made to the present Jail, with power to said committee to contract for the making brick and building the said Court House, and to purchase the necessary lumber and timbers for the same, and generally to exercise their own judgment in all things pertaining to the erection of said Court House. And it is ordered that the sum of $200 be levied, at the present term, and placed under the control of the said Committee for the purpose of making the repairs aforesaid, to the said Jail. And it is further ordered that the sum of $3,500 be levied at the present Term, and placed under the control of said Committee for the purpose of buying brick, lumber, and timbers for the said new Court House."

The next day, W. L. Jackson came into court, and declined to act as a commissioner, and Robert S. Smith was, in his stead, appointed on the Building Committee.

The Justices sitting then were: H. P. Dils, Pres't., George Page, James Stephens, Ed. D. Stagg, Jesse Murdough, E. P. Dye, Lemuel Cooper, Joseph Johnston, W. A. M. Reed, Robert Buckner, Benj. R. Pennybacker, Edward Tracewell, Jacob Cork, Mathew Mayhew, Geo.

W. Henderson, Robert S. Smith, Levi Hopkins and Geo. W. Lott.

At the February Term, 1860, the court adjourned, to meet in Hutchinson's Brick Building, at the northwest corner of Court and Juliann streets, where the Prager building now stands, and there continued its sessions till completion of the new structure. The contractor was Lysander Dudley, an expert in his line of work.

The Court, at its October Term, 1860, ordered that, "the books and records of the Court be removed to the office prepared in the new Court House, and that said Court House be the place of meeting from and after 7th of November next."

In April 1863 the Court appointed James Cook, William Burke and John Hall a committee to report plans and cost for iron railing to be placed around the Court House yard. It was not deemed best, subsequently, by the Court to enclose the area.

For over one generation, more than a third of a century, aye, for nearly four decades, stood and was used for public purposes, this substantial structure. During the period rapid advancement was made in population, wealth, social and political freedom. Nearly 30,000 persons were added to our population, basing the growth within the past ten years upon the proportion of increase for preceding thirty; the valuation of assessable property increased from $3,261,876, and taxes paid thereon to the State, from $20,760 to present values, respectively, and the shackles fell from four million slaves, and the inhabitants west of the Mountains were freed from the slavery of unequal taxation and representation imposed by despotic rulers of Tide-water, Virginia.

Within its walls, in calm logic and honest fervor, spoke the National patriotism of our citizenship, and originated steps for restoration of civil government and the creation of the new State of West Virginia. Forth from its legal bar emerged during the storm, one who became our safe leader in counsel, our State's Executive and Senator in

the halls of an eventful Congress, Arthur I. Boreman. From beneath its protecting roof passed into responsibility and renown, two Governors, Wm. E. Stevenson and Jacob B. Jackson, whose dust now reposes in the same River View Cemetery.

From its walls, but trained within the preceding temple of justice, stepped into Presidential commission, one who for nearly four decades has honorably filled the seat of United States Judge for the District of West Virginia. It was the arena of giant debates between Governor William Smith, known as "extra Billy," of Virginia, and General John Jay Jackson, his peer in argument; of John J. Davis and William L. Wilson; of General N. Goff and the author of the Wilson Tariff bill.

Some of the brightest intellects of the country voiced their opinions under its roof. Chief Justice Chase held a term of the United States Court there. James G. Blaine, from its steps, eloquently addressed the multitude; Benjamin Butler, in behalf of the Greenback party advocated the enunciations of their platform. Governor, now President Wm. McKinley, from its pillared portico, uttered the creed that put his political friends in control of the government of our Nation. Therein were cast thirteen votes for Abraham Lincoln in 1860, when amid the intense political excitement only the bravest dared to stem the tide of Virginia opinion.

Even the substantial and historic edifice failed to expand, by repairs and improvements, with the growth of our legal and fiscal necessities and the vast stride made in population and official demands. By decree, swinging under the ax of Time, it passed from sight.

The County clerk, 19 June 1898 moved records and office appurtenances to the basement of the Citizens National Bank building, on 4th and Market streets. The Circuit clerk and Commissioners rooms, sheriff's apartments and States attorney having location in second and third stories.

The first blow that was the beginning of the end of the

old court house was struck at an early hour Friday morning, July 7, by Hubert Dickel's gang of roofers.

Thirty-nine years ago from that day, the building was under course of construction. Thirteen years ago, the lightning laid a heavy hand on the old temple.

The stones that formed the base for the old Grecian columns in front were the largest that had ever been used in Parkersburg at the time, and were hauled by Hugo Heydenreich, then a teamster under the supervision of the elder Lysander Dudly, now on the other side of the Great Divide.

Among the most intensely interesting trials ever held in the old court room, were the Schaefer and the Boice–Grogan and Gibbony murders. The former was executed in the field adjoining the old Dils graveyard on the North Western Pike. The old oak tree from which he was hung still stands. Boice, Gibbony and Grogan were executed on Fort Boreman.

At the latter, multitudes from every adjoining county, travelled day and night, to be in time to witness the most noted hanging which ever took place in Wood county. Pieces of the rope used in the execution are still kept by many citizens as keepsakes of the occasion.

The last case to be tried in the old criminal court room was that of a saloon keeper charged with selling liquor to minors. The jury which rendered a verdict of "not guilty," was composed of C. A. Alexander, Jno. W. Kinnard, P. C. Barrett, Jr., M. W. Farrell, M. Clark, H. O. Nicholas, J. A. Montgomery. J. B. Jackson, M. Atkinson, I. Henthorne, W. S. Reynolds, and James Farnsworth.

The plans of the new structure for County uses, and which will begin the second century of its existence call for a building, 88x99 feet. It is to be of stone and in the Romanesque style of architecture, which insures a building of beauty and substantial appearance. It will be of absolute fire-proof construction, nothing but iron and steel going into the frame work, while the floors will be of terra cotta.

In the rooms where there is to be much walking or standing the terra cotta will have board floor laid over it. The corridors and some of the public rooms will have the tile floors of a handsome design. The building will have equal entrances on Third and Market streets to the first floor, and will have east and west entrances.

Through the building, from the main entrances, will be a seventeen foot corridor. In the center of the building there is to be a rotunda 30x48 feet, to the full height of the building, and out of this the stairway will rise from each side to the second floor. The stairs will be of ornamental iron.

The building will have three stories and a basement under all. In the southwest corner of the basement will be an assembly room for public meetings, 31½x51½, feet in size. It will have a twelve foot ceiling and will be six feet above ground, so that it will be of great worth and convenience.

The heating and ventilating plants, will also be located in the basement.

On the first floor the county and circuit clerk's offices will be located, in the same relative positions that they were in the old building. Each will have a public room, work room and private office, besides vaults 17½x32 feet in size.

The vaults will be equipped conveniently for those working among the records.

The county commissioners will have apartments located relatively where the sheriff's office was in the old building. They will have a public and private room, a work room and connection to the county clerk's vault.

The sheriff's offices, which are of the same size and plan as the commissioners, will be in the northwest corner. Just inside the building, at the Market street entrances, there will be toilet rooms for ladies and gentlemen.

The two clerks' offices will be equipped with private

toilet rooms. All the first floor rooms are to have fourteen-foot ceilings.

On the second floor the criminal and circuit court rooms will be located, the criminal on the Third street side and the circuit on the Market street side. The criminal court room will be 33½x47½ feet and the circuit court 29x54 feet.

On the east side of the criminal court room the prosecuting attorney will have a public and private office, and in the rear of it will be a men's witness room and law library. On the west side of the building will be public and private rooms for judges of the courts, and a ladies' witness room. On the third floor will be the jury rooms, with private connections to the court rooms. There will be five large offices on the third floor.

The criminal court room will be lighted from a big skylight, as will also the rotunda in the center of the building.

Over the Third street entrance to the building will rise a graceful tower, which will stand 150 feet from the pavement. At the four corners of the building there will be large turrets over the east and west entrances. Over the Market street entrance there will be a larger and more elaborate turret.

CLERKS OFFICES, JAILS AND PUNISHMENTS.

While the court of the county of Wood, through long years, seems from the records, to have no abiding place, but was peripatetic, yet there were law violators sentenced and a prison was at once necessary.

The Justice's minutes of April 15, 1800, shows:

"On motion of Jno. G. Henderson that a jail should be erected agreeably to the order of the court appointing a place for erecting public buildings, and that it be sold to the lowest bidder at next court, the sheriff to be reimbursed at the expense of the court, when the levy can be collected by law."

The session of May 12, 1800, has record, that the sheriff came into court, and upon an order to commit to his cos-

THE FIFTH COURT HOUSE.

1900.

tody some criminal, "protested that the jail"—which must have been one only on paper—"was insufficient."

Whereupon it was ordered that "a jail be built of square hewed logs, 16x29 feet, 9 feet between floors, and that the floors be made of like hewed timber, with a sufficient door and window, and a good shingle roof, the logs to be at least 10 inches square, to be dowelled well, and to be finished on or before the second Monday in August next, and to be sold this evening by the sheriff to the lowest bidder."

The contract was so auctioned off, and sold to Andrew Vanvlare, for $279, and it was confirmed by the Court.

April 6, 1801, John Stephenson, Jesse Bartlett and John Bagdley were commissioned to view the jail and report whether it had been built agreeably to contract. It was favorably reported upon, and July 6, 1801, accepted and put into use.

This was probably one of the cabins at Neal's Station, near where the Court held its earliest session.

For Feb. 1, 1802, the minutes read:

Ordered that a jail stocks and pillory be built at the point of the Kenawha on the ground laid off for that purpose, and that Joseph Cook, John Stephenson and Thomas Lord, Esq., be appointed commissioners to superintend the business and carry the same into effect, and that the same be finished by June Court next. And that the jail do not exceed thirty feet in length, and twenty feet in breadth, and not less than twenty-five feet in length, and eighteen feet in breadth. And to be nine feet from the lower floor to the upper floor, with convenient doors and windows, with a partition through the same.

In May, 1802, an allowance was made by the "Gentlemen Justices" for building this jail, $327.

There is no doubt that the first permanent court house was just below Rifle Run, on Stokely property, in "Springville" or Newport, and was a two story log house. The second story was to be used for the sessions of the court, and was approached by a flight of stairs. It was

too small to be comfortable, hence the justices adjourned first to one tavern, or ordinary, and then to another for several years. The first story was constructed for and used as a jail till the new one was built in 1815 of stone, on the public square.

In the minutes of 7th of September, of that year, the entry reads:

"Ordered, That Thos. Pribble, Andrew Davisson, John Stokely and Jacob Deem be appointed to examine the jail of this county and report to this court, whether the same is built agreeable to the order of this court, at February court last, for building the same," who made their report as follows, to-wit:

"We the subscribers, having been first sworn, have viewed said jail, find the same insufficient, both in the body and roof, and are further of the opinion that the said work is not done by the undertaker according to the contract between him and the commissioners who were appointed by an order of said February court to superintend the same.

"Witness our hands this 7th day of September, 1802.

Thomas Pribble,
Andrew Davisson,
John Stokeley,
Jacob Deem."

It is stated that, subsequently to 1801, a hewed log jail, 25x18 feet, with nine foot story, and divided into two rooms, was erected on the two acres located on the alley and Kenawha street, west of the court cabin.

The county jail was constructed of square logs, notched down and laid close together. In it were two cells occupying half the building, and separated from the other half and from each other by square log walls and covered and floored with the same material. The walls, floors and ceiling of both were lined with two-inch oak planks, spiked firmly to the logs. One of these cells was for debtors, the other for criminals. The latter was badly ventilated, having neither light nor air, except what was ad-

mitted through a very small window and the grating of the iron door, which opened into a narrow hall, separating the cells from the jailor's apartment. This consisted of two small rooms—one of which was kitchen, dining and sitting room for the jailor and his family, the other their sleeping room.

The salary of the jailor, in 1806, was $10. In August of that year Geo. D. Avery, after whom one of Parkersburg's streets was named, was allowed "further time, to the October Court next, to furnish another lock for the jail," and in September it was ordered that "the guard who stood over Peter Misner, a prisoner in the jail, be allowed one dollar and a half for a day and night, and after deducting what the State allows, the balance to be paid by the county out of the next levy."

The Jailor was then, as now, one of the Sheriff's deputies and appointees, and as soon as the county owned its prison building, he resided therein. Among those serving thus in early days are: Adam Ruble, 1800; William Enoch, 1807; Joel Wolfe, 1815; James Foley, 1818; Nimrod Saunders, 1819; David Thomas, 1822; Allen Davis, 1823, who hung "Old Jack;" James Minear, 1825; Adam Ruble, 1827 to 1831; William Pool, 1842.

In the allowances of the Justices, 3 June 1811, John Dils, auctioneer, was granted "one dollar for crying bids on Jail and clerk's office," and Thomas Neale, contractor, was allowed one half of his $784 on Jail construction and one half of $267, 99 for clerk's office erection.

The commissioners of Clerk's office construction, in their final report, suggest an additional window; the court approves and orders the document to be filed.

James G. Laidley, George D. Avery, Isaac Morris and Joseph H. Samuels, commissioners, in June 1812 reported that "Thomas Neale had fulfilled his contract for the construction of the Clerks Offices, and moved that they be received."

And 4 Aug. following, the same commissioners reported that they had examined the Jail built on the Public Square

by Thomas Neale, and "are of opinion that it should be received also." The Court therefore ordered "that the same be used and considered the Public Jail of the County, and that the Sheriff use the same accordingly." To this sheriff Wolfe files an exception, protests against the sufficiency of the new Jail, and prays that the same be entered accordingly."

A plat and description of the boundaries of the Prison Rules as laid down around the new Jail was ordered to be recorded.

Nearly every year of the first and second decades the sheriff "protested against the safety and sufficiency of the jail. On the 4th Aug. 1817 sheriff John G. Henderson is quite emphatic in relation thereto.

On the 22 June 1841 Jno. G. Stringer, Jno. Stephenson, William Tefft, David Hopkins and Jno. M. Prince were appointed Commissioners to report the condition of the Jail. On that report the Justices decide a new one necessary, and authorized this committee to report plans, cost and site.

Tuesday 20 July 1841 the entry reads:

"Four of the Commissioners appointed at last term of the Court to recommend a site and submit plans for a new jail this day presented their report, which is approved by the Court, and thereupon it is ordered that Jno. G. Stringer, Wm. Tefft, and Bennett Cook be appointed a Committee to prepare a plan and minute specification of the work upon the plan indicated in said report, and also to advertise for and receive sealed proposals for the work, until the first day of August Term next, after which time they are authorized to contract with such of the bidders as they may judge best, without reference to the bids. The work to be completed in one year from the date of contract, and bond with approved security to be given by the Contractor or contractors for the faithful completion of the work within the said period, with penalty of $5,000. The said Commissioners are also appointed to superintend the work during its progress. One thousand dollars on account of

THE COUNTY PRISON,

the contract to be paid by the Sheriff to the Contractor, on the order of the Commissioners, on the 1st day of November next and the residue in two equal annual payments from that period."

George Thorp became the contractor, and in the levy for 1843 June Term was allowed to him as second payment $1725, and June next year $175.60 for stone work beyond contract price. This would make the contract price $3450, and by adding allowance for extra stone work, a total cost of $3,822.60.

The order of the Court 11 July 1767, was: "Inasmuch as this Board is satisfied that the present Jail of this county is wholly insufficient for the safe keeking of prisoners, it is therefore ordered, $10,000 be levied this year for the purpose of building a new jail on the same site of the present one, and that L. Dudley, F. C. Boggs, W. H. Mattingly, and Geo. K. Leonard be commissioners to contract for and superintent said work."

PRISON BOUNDS—WHIPPING POST.

Strangely enough, in those primitive days, legislatures and courts believed that prisoners should sometimes have fresh air of an open court yard, and limits to promenade within a 10 acre area, whose boundaries were often not even a "bull-strong, horse high, or pig-tight" fence.

So, under requirements of State law, the Court ordered:

"That the prison rules of this county be laid off as follows: to include the Public Grounds, and to extend with the North or Northeast line thereof to the Ohio river bank, and so extend with said bank and the course thereof across little Kenawha river, and eight rods from Kenawha in the same direction, these to extend up Kenawha, south 45, east until a crossing line will include 10 acres of land to be laid off and marked."

"That prison bounds be altered and limited to the upper side of the mouth of the Little Kenawha river, to be bounded by the Ohio water in its common channel, at the north end by the little K. river, on south or west side

still in its common channel, to extend up little K. river 60 poles, and back from L. K. river an equal distance from its mouth, and from the 60 pole station, so as to include 10 acres to be laid off by the Surveyor, and that he erect sufficient bounds."

In 1807 the prison rules were three acres on the south side of Little Kenawha river to include tan-yard and dwelling of Caleb Bailey.

In Feb. 1810 rules were changed to "begin opposite the house of Lovett Bishop, then to extend across Little Kenawha river 6 rods wide, also to lay off 3 acres adjoining thereto, so as to include the tan yard and dwelling of Caleb Bailey, the remainder of the 10 acres, as prescribed by law, be laid off on the upper side of the Little Kenawha river."

The Prison Bounds established Aug. 7, 1817, were:

"Beginning at junction of Julian and Harriet streets—now southeast corner of Fourth—including Harriet street, to the junction of the same with Avery; thence including said street to its junction with Neal—now Second—thence with said Neal to the junction of same with Juliann street and to the beginning, including said street."

In 1818 the Prison Rules were extended to include the house occupied by James Henderson. The bounds were extended Sept. 5, 1820, from the corner of Dr. Riggs' lot with the street to Ann, and on the south side of said street to Littleton; thence with the line thereof, 40 feet unto Our Lot No. 4, and by a line parallel with said street through said lot to the West line thereof; thence to Martin Bailey's corner; thence with the First street with the bounds heretofore laid off."

Debtors, while being under sheriff's surveillance when unable to pay, were nevertheless to some extent privileged prisoners. For their convenience, and it must be said by individual partiality, the prison bounds, as the records show, were often modified and extended constructively to include, if prominent pioneers, their dwellings, even miles away to the utmost limits of the then broad county. In

one case an Ohio river farm, twenty miles from the prison was included, so as to permit the debtor to conduct his extenstve acreage and live comfortaby and unguarded with his family.

The following incident is related by an old pioneer of the county, aged 90 years, who now resides in Ohio:*

When the first court room was the upper story of a cabin, and the prison the lower one, the building facing the current of the Kenawha, one of the subordinate officials of the county, whose name began with W., had been put in confinement for some trivial offense and upon doubtful evidence. He was a jolly bachelor, inclined to frequent sprees, a great favorite and not watched very closely in his quarters. Having grown tired of restraint, a few days after incarceration he observed to a friend who was permitted to look in upon him, that 'if he was furnished a saw he would break camp.'

The next day by the intrigue of another visitor to whom the wish had been communicated, the saw—a short one and exceedingly dull—was received and hidden away, save in deep midnight hour, when, as no one of the deputies slept about the court-cabin, it could be readily used. The saw-teeth from constant use having lost their edge needed a resetting, and the prisoner at the beginning found it hard labor. But the donor had anticipated this and to lighten the efforts held a cake of mutton tallow on the outside to grease the blade as it was pushed to and fro. The work at once became so easy that the surprised W. exclaimed in a suppressed voice, "Who in Tarnation Halifax is greasing my saw?" Ere long his release through the opening made enabled him to know the cause and thank his benefactor.

June 6, 1803, James G. Laidley was appointed by the Justices to contract for the erection of stock, pillory and whipping post on or near east corner of the public grounds, to be completed before the August court.

At the September term Andrew Davisson was allowed $24 for the erection of these means of punishment.

* Thomas Leach.

RELICT OF ENGLISH LAWS.

In 1661 the Virginia Colony decreed, "that in every county there should be erected a pillory, a pair of stocks and a whipping post, neere the court house, and a ducking stool, in such place as they shall think convenient, that such offenders as by the laws are to suffer by any of them, may be punished according to their demerits. Courts not so erecting within six months after date of the act, shall be fined 5000 pounds of Tobacco."

With more leniency perhaps, one and a half centuries after this British decree, these articles existed.

Near the jail, generally in public view and uncovered from storm or chill, were erected the inventions used for the punishment of those who were convicted of certain misdemeanors and petty infractions of law or custom. As in this enlightened age we look back upon these methods which seem to be cruel, it is a matter of gratulation that no court decree inflicts these penalties upon even the guilty. As no citizen of this generation has had opportunity to see either whipping post or pillory and stocks, a description as given by a pioneer writer of 1803, will be of interest:

"A section of the trunk of an oak tree hewed and dressed off octagonally, some sixteen inches in diameter, was set perpendicularly and firmly in the ground, and standing fifteen feet or more above the surface. This was the whipping post. Around it was erected a platform of boards, laid upon timbers, elevated twelve inches from the ground, and being ten feet square, leaving the whipping post in the center. Just above the platform a vertical slit, of two and a half inches wide and twenty inches high was mortised through the center of the post. Through this slit were passed two oak boards ten feet long, eight inches wide and two inches thick; the edge of the upper one resting on the edge of the lower, both joined to fit close together, and the lower board being made fast. Through these boards, at the joint, were cut

or bored four holes, about the diameter of three inches, one-half of each being cut in the lower board, and the other half in the upper—two on each side of the post, and about fifteen inches apart. These boards were the stocks. About eight feet above this platform was erected another of like dimensions, laid upon timbers mortised through the post. At the distance of some three feet above this latter platform, another slit was fitted with two boards exactly corresponding with those above described. Through these boards, at the joint, were cut three holes on each side of the post, The central hole of each set of the three was large enough to receive the neck of a man, and the other two twelve inches from this, were of a diameter corresponding with a man's wrists. The platform and pair of boards constituted the pillory.

"When a prisoner was sentenced to receive thirty-nine lashes, more or less on his bare back, he was forthwith brought to the whipping post, his body stripped to the waist, his arms drawn closely around the post and bound firmly together at the wrists, to prevent his moving. In this humiliating position the culprit received, on his naked back, at the hands of the sheriff or some other officer of the law, the prescribed number of stripes 'well laid on,' with a heavy cow-hide, every lash parting the skin, while the blood trickled down his lacerated back.

"In the punishment of the stocks the evil-doer who was sentenced to this mode of expiation was seated upon the lower platform at the whipping post, the upper of the two oak boards, before described raised up, the prisoner's feet passed between the boards, with his legs, just above the ankles, placed in two adjacent holes, while the upper board is placed down upon the legs and keyed fast with a wedge driven into the slit over it. In this position the prisoner sits the length of time specified in his sentence.

"When a transgressor of the law was condemned to stand in the pillory he was made to ascend by a ladder to the upper platform, when the upper board was raised so as to admit his head through one of the larger central

holes, and his hands through the smaller ones on each side of it. On being thus placed, the upper board was let down upon his neck and wrists, and keyed fast by a wedge. In this unpleasant fix he was not unfrequently greeted by those below with rotten eggs and other missiles thrown in his face."

In explanation of the often severe punishments inflicted on the settlers convicted of minor offenses, which seem to us in this advanced age even cruel, it is necessary to keep in mind that the laws thus enforced were of English origin, in use under the Crown, and that it took more than a half century after our independence as a Colony to release our statutes from this imposition and encumbrance. The humanity and kind nature of our freemen gradually modified and softened the rigor of such enactments, which now seem in direct contrast with the known tenderness of heart which our ancestral pioneers possessed.

The minutes of the Gentlemen Justices, signed by presiding member, Robert Edelen, read:

"At a Court of Oyer and Terminer, held 14 Aug. 1799, to try Harvey a negro slave, the property of Thomazon E. Turner, charged with feloniously stealing, taking and carrying away nineteen yards of linen cloth and one bed quilt, the property of Jonathan Prentiss, of the value of ten dollars, the case was fully heard, the prisoner defended by Counsel, and upon consideration, It is the opinion of the Court that the prisoner is guilty, in the manner and form as in the indictment charged, and that he be therefor burnt in the hand and have ten lashes on his bare back, which was accordingly done."

In 1803 the order of the "gentle" Justices was "that Richard Lee be put by the High Sheriff two hours into the public Pillory at the Court House, and also that his ears be nailed thereto, and at expiration of two hours his ears be cut loose from the nails. From this cruel order he appealed to a higher court of the District of Monongalia. The explanatory tradition connected with this is, that the party did not belong to the estimable family of that name

of valued hunters and rangers who so nobly defended the settlements near, but was a predatory tramp, who was so threatened and suffered to run away while the appeal was pending.

June 7 1809 "Bill," a negro man of Thomas Neale's was charged with burglary. He was convicted of larceny, and the order was "that he be burnt in a hand, and receive 39 lashes well-laid on his bare back at the public whipping post."

Whether constant use, or severe winters, or the pioneer whittlers who hovered near and traded horses and hounds, wore away these implements of punishment, does not appear. But 3 June 1817 James J. Laidley was made superintendant to contract for building public stocks and pillory of the county on the public square.

The last post used for this infliction upon law violators was one of the brick pillars of the old market house, which was located just behind the first brick court house, and about where the rear walls of the new building will rest.

The court minutes 2 Dec. 1816 state that Henry Clark was an absconding debtor. The law then and till long years after allowed the creditor to force his debtor into prison from which he could obtain release only through the clemency of the party to whom he was under obligations, or by delivering a schedule under oath of his property showing his inability to ever pay. This was called "swearing out of jail," and was considered a disgrace in the community. A special room, called the "Debtor," was provided for such prisoners, and they fared better than others. It is related of one of the "Gentleman Justices" before whom on one occasion an unfortunate and indolent pioneer was brought to take the release oath, that in administering the same, he said, "Do you solemnly swear that you are not at this moment worth a single dollar by which to pay your just debts, and especially the debt of your friend B–chn–r?" "Not a red cent, but——" "There go, I'll, without any hesitation, swear to the rest,

that you never will be worth a penny or a fip-ne-bit so long as you stay on God's green earth, and the sooner you go the better for your friends. Never mind the two bits for cussing you."

JUDICIAL HISTORY.

The courts, in 1774-5, for Augusta county, Virginia, were held alternately at Staunton and at Fort Pitt, then considered as belonging to the Old Dominion, and as such in the indefinable county of Augusta.

The territory of Wood in 1784, was included in Harrison County, and for judicial purposes that county with Monongalia, Ohio and Randolph, constituted the Tenth District, the Superior Court of which held its earliest session at the Court House in Morgans-Town, Monday, May 4, 1789.

To each of the two sessions, or terms as they were called, in May and September each year, two Judges were allotted. The order book of the District Court from 1789 to 1808, shows the following Judges to have sat upon the bench:

1. Joseph Prentiss,
2. Cuthbert Bullett,
3. James Mercer,
4. Richard Parker,
5. St. George Tucker,
6. Joseph Jones,
7. Spencer Roane,
8. Henry Tazwell,
9. William Nelson,
10. James Henry.
11. John Tyler,
12. Paul Carrington,
13. Robert White,
14. Edmund Winston,
15. Archibald Stuart,
16. Robert White, Jr.,
17. William Nelson, Jr.,
18. Francis T. Brooke,
19. Hugh Holmes.

In forming the county in 1799, the Act placed Wood county in the same Judicial district with Monongalia and Harrison, parent counties.

By Act of 23 January, 1802, the State was divided into three judicial districts for the holding of Superior Courts of Chancery. Wood county was in the First, and the court convened in Staunton on the 1st of July and the 15th of November in each year. The remote distance

from the Ohio river counties prevented, along with other causes, many appeals being made to this court.

By an act, 1 Feb., 1808, there were in the State 12 Judicial circuits of the General Court and Superior Court of Law and Chancery, with two terms each year. The sheriff and clerk of each county were to be also like officers for the Superior Courts. Commonwealth Attorneys were to receive five dollars per day for actual services, not to exceed fifty dollars per year, the Judge to certify to its necessity and strict performance, and the Court was to take the place of the District Court of Law.

With Harrison, Monongalia and others, from the year 1809, Wood was in the Eleventh Circuit, presided over by Hugh Nelson, and then in 1812 by Daniel Smith. The latter wearer of ermine, has been described as a man of attractive appearance, six foot in height, face full and round, hair black, and graced with an open, pleasant countenance.

From 24 February, 1819, with Harrison, Lewis, Mason, Cabell and Kenawha, Wood constituted the Fifteenth Judicial Circuit, the courts convening upon the first Monday in April and September at Parkersburg. Judge Lewis Summers, distinguished for his ability, integrity, and legal acumen, presided.

In 1823 the district embraced with Wood, also Lewis and Randolph counties.

Under the revised Constitution of 1830, Lewis Summers was elected, by joint ballot of the Legislature, Judge of the Nineteenth Circuit, Tenth District of the Superior Court, which embraced Wood county with several others. The district was composed:

Nineteenth Circuit.—Wood, Mason, Jackson, Cabell, Logan and Kenawha.

20th Circuit—Preston, Monongalia, Tyler, Brooke and Ohio.

The Judges were to serve during good behavior. For

the next six years, decisions in Wood county were:

66	suits	in 1831	189	suits	in 1834
73	"	" 1832	163	"	" 1835
132	"	" 1833	72	"	" 1836

In the six years, 695 cases, or an average of less than 116 each year. Leisure and oratory of the Bar might be alleged as the cause of such tardiness.

Judge Summers having died, 27 Aug. 1843, David McComas, able, eccentric, diligent and devoted to his profession, succeeded him in 1844. For the year 1846, in the entire circuit were reported: 783 suits at law commenced; 821 pending; 695 decided; 7 removed to other courts; 123 Chancery suits commenced; 419 pending; 99 Interlocutory decrees; 86 final decrees; 195 prosecutions pending; 77 decided; 86 days in Fall session; 70 in Spring; 6 intermediate; and the Judge had traveled to general court—mainly on horse back—640 miles, in the circuit 412, equalling a total of 1052 miles.

In 1847 Wood, Ritchie and Gilmer composed the circuit, and the Judge was Mathew Edmiston.

By the constitution of 1850-1, the Ninth district covered the 18th and 19th circuits, and for it one term was to be held at Parkersburg each year in December. The Judges were elective and for an eight year term of service. Instead of the Circuit and Superior Court of Law and Chancery, it was designated the "Circuit Court," and under this title has continued. In the Nineteenth circuit, having court sessions on the first Monday in April and September, were, along with Wood, the counties of Wayne, Cabell, Mason, Jackson, Putnam and Kenawha.

At the election in 1860 prior to the opening of the civil war, William L. Jackson had been chosen Judge of the Circuit Court for this district. He was a man of fine personel, great dignity of manner, and popular among many friends. He abandoned the circuit to take military position in the Confederate service. He was once Lieutenant Governor of the undivided Virginia; became General in the southern army, and was known as "Mud-wall" in contra-

distinction to "Stonewall" his relative, also once resident in Wood county.

Under the constitution of the new State of West Virginia, Wood, Wirt, Calhoun, Roane, Jackson, and Clay constituted the Sixth Judicial circuit. George Loomis was first elected Judge for the term ending 31 Dec. 1865, and was re-elected, serving to 31 Dec. 1868. Then the district was changed to the Ninth Circuit, and was constituted by the counties of Wood, Wirt and Pleasants, and Loomis was elected to serve six years, but by the new constitution of 1872, the offices were vacated with the end of that year, and Wood passed into the Fifth Circuit, along with Tyler, Pleasants, Ritchie, Wirt and Calhoun.

James Monroe Jackson was elected to serve eight years. The vote was a close one, and contest was made by his opponent, Judge Loomis. The Governor appointed a Special Court in the case, Benj. H. Smith, Robert S. Brown and Samuel Woods, who on an examination of the evidence presented, dismissed the petition of Loomis.

From January 1, 1881, to the present, Wirt, Wood and Pleasants have formed the Fifth Circuit. James M. Jackson was re-elected for the eight-year term, but 15th Aug., 1888, he resigned, to enter the race for Congress, and John G. McCluer was, by the Governor, appointed to the vacancy, serving until 1st January, 1889.

For the term of eight years, beginning 1st January, 1889, Arthur I. Boreman, who had served as Governor and as U. S. Senator, was elected Judge. The report of the Clerk for the year ending 30 September, 1891, shows:

Number of suits commenced, 252
" " " pending, - 250
" " " decided, - - 180
Days of session, - - - - 133
Average hours daily, - - - 8

For the year ending 30th September, 1892:

Suits commenced, - - - 134
" pending, - - - - - 499
" decided, - - - - - 142
Days of session, - - - - 148
Average hours daily - - 8

Judge Boreman died 19th April, 1896, and the Governor appointed Lewis N. Tavenner to the vacancy, and at the Fall election in 1896 he was elected by the people to serve for the term of six years from 1st of January, 1897.

The increase of population and commercial needs, caused the legislature to provide for a division of judicial labor, and a separate tribunal was created for Wood county to be called the Criminal court, confining jurisdiction to criminal cases, and to the limits of the county. To this court James Monroe Jackson was appointed. The first session of the court opened in June, 1891.

In Nov., 1898, he was re-elected to serve till January, 1907, receiving 3,460 votes against 3,065 for Samuel L. Stapleton, Republican nominee.

SUPERIOR AND CIRCUIT COURT JUDGES.

Hugh Nelson - -	From 1800 to 2 April 1811;
Daniel Smith - -	" 1811 to 2 April 1819;
Lewis Summers - -	" 1819 to 8 July 1843;
Davis McComas - -	" 1843 to 10 Sept. 1852;
Mathew Edmiston - -	" 1852 to 8 June 1860
Wm. L. Jackson - -	" 1860 to 5 Nov. 1861;*
Arthur I. Boreman - -	" 1861 to 13 Mar. 1863:
George Loomis - -	" 1863 to Oct. 1872;
James Monroe Jackson -	" 1873 to 15 Aug. 1888;†
John G. McCluer - -	" 1888 to 1 Jan. 1889;
Arthur I. Boreman - -	" 1889 to 19 April 1896;
Lewis N. Tavenner - -	" 1896 to Jan. 1903.

CLERKS OF THE SUPERIOR AND CIRCUIT COURTS.

Till the new Constitution of 1850–1, the clerks were appointed by the Judge thereof.

James Henry Neal - - -	1800 to March 1850
‡James John Neal - -	1850 to 1862 From 1 July

* Elected, but never held court in Wood County. Gideon D. Camden, Judge of the 21st Circuit, appearing to have signed the court records to the date of Boreman's appointment.

† Resigned.

‡ Commissioned 15 June 1852 by Judge Lewis Summers, 19th Judicial district as clerk of Circuit and Superior Courts of Law and Chancery for Wood County

JAMES MONROE JACKSON,
Judge of the Criminal Court of Wood County, 1 June 1891 to Dec. 31, 1904.

He served as Judge of the Fifth Circuit, in which Wood County was, from 1 Jan'y 1873 to Sept. 1, 1888, when he resigned.

William Dils - - -	1862 to 20 June 1863
Wm. Henry Hatcher - - -	1863 to 1 Jan. 1869
Lawrence Perry Neal - -	1871 to 1879
Oliver M. Clemens - -	1879 to 1903

GENTLEMEN JUSTICES.

A distinguished Virginian Barrister and author, Joseph Mayo, titles the county courts "the most useful body of agents in the State."

Certainly in early days they were wisely selected, and their character and dignity and unsalaried services entitled them, along with an occasional outburst of humor and flow of soul, to the gratitude of their generation, and the distinction which went into the records, "Justices, Gentlemen."

The term "gentlemen" by the early colonists of Virginia, "did not imply any assumption of superiority," says a learned writer. "All who were entitled to coat-armor, or whose ancestors had been freemen were included in the word. It was applied to those not having any title of honor yet were to be distinguished from the ignoble or plebean." *

The office was originally unknown to the common law. Till the reign of Edward, the Third, mere conservators of the peace were elected by the freeholders, but in the first year of his rule he made them subject to appointment by the crown, or highest authority, and later conferred upon them other powers and increased dignity, and made them Justices.

In early colonial history there were certain persons designated to exercise partly the functions of justices. At first they were called "masters of the plantations," next "commissioners of monthly courts," and then "commissioners." As their responsibilities were extended, just before the American Revolution, they were named Justices of the Peace, and commissioned such by the Gov-

* Robson

ernor of the colonies and commonwealths, and had control of their respective counties.

In 1861, the number in each county was limited to eight, four of these constituting a court, the act declaring that "the great number of commissioners in each county hath rendered the place contemptible, and raised factions among themselves rather than preserved the peace of the people."

As a court in control of county affairs and appointed by the Executive, they so continued in Virginia until the new Constitution of 1850 became operative in 1852, when their selection was restored to the people. Thence their term of service was four years, commissioned by the Governor, and four were selected from each of the five magisterial divisions. The others were to be classified so as to have at least three in conjunction with the President, and not over five at each court sitting, making a full bench at Quarterly and special terms, of twenty. They chose one of their number to preside.

In 1863, under the new jurisdiction of West Virginia, the Court of Justices was abolished, the entire system changed, responsibilities and duties divided, and a Board of County Supervisors substituted, consisting of one from each Township, elected annually, making ten for Wood County. The Board were to have control of fiscal, and the individual Justices elected for their several Townships were therein to administer judicial affairs. From the Supervisors, one was annually made President, and a clerk appointed. This board existed from 10th Dec., 1863 to 25th Dec., 1872, when, by the amended Constitution, it was superseded, and the old county court virtually re-established, and two from each district elected. The President was chosen by the people of the entire county.

In 1880, a Constitutional amendment again substituted a board of commissioners, only three in number, for the Justices Court. In the interim, justices were elected in and for each magisterial district for judicial purposes, reserving to the county officials control of fiscal affairs.

OLIVER M. CLEMENS,
Clerk of Circuit Court for Wood County, 1879 to 1903.

Under Monongalia the Justices Courts convened at the seat in Morgans-Town, and the journey from Ohio river borders was quite a lengthy one on horseback. The act of May 1783 enabled the Justices of Monongalia County to sit elsewhere than the old cabin location, and "the court house having fallen into Pennsylvania by extension of Mason and Dixon's line, is to be holden at the house of Zackwell Morgan.

Clarksburg, under Harrison period, was the Court place, and thither till 1800, were our suitors and witnesses and attorneys compelled to ride over 80 miles, some of them, to meet the Justices. Who those were, if any, from the river frontier during these six years, does not appear on the minutes of either county. The presumption is they were the two Lords, Hitchcock and Spencer.

1800 to 1852.—JUSTICES ROLL.

The minutes of the Justices Court do not uniformly indicate the recommendations made for new members needed by removal, death or other causes, and where the names of those recommended occur, two and three at a time, it is not readily and surely ascertained which one the Governor designated should receive the honor of a commission.

The Act of 10 Jan. 1800 authorized the Governor to appoint four additional Justices, who in connection with those of previous commissions, a majority being present, shall on the second Monday of February next, meet at the house of Hugh Phelps, and constitute a court, and be invested with all the powers of Justices of Wood County.

The following, however, appear to be acting at the preliminary organization attempted in 1799, and subsequently till the Constitution of 1850 made them elective by popular vote.

NAME.	Date of Com. or Qualif'n.	RESIGNATION, ETC.
Caleb Hitchcock,	13 Aug. 1799.	
Hugh Phelps,	10 Mar. 1800.	Resigned 7 July 1806, not accepted.
Jacob Bennett,		Died Dec. 1799.
Thomas Pribble,	10 Mar. 1800.	Resigned Nov. 1806.
John G. Henderson,	" " "	Re-comm'd Aug. 1817.
Abner Lord	" " "	Resigned 5 May, 1802.
Joseph Spencer,	" " "	Resigned 7 Oct. 1816.
Thomas Lord,	" " "	
Ichabod C. Griffin,	" " "	
Hezekiah Bukey,	" " "	Resigned 22 June, 1807. Also 8 June, 1820.
William Hannaman,	10 Mar. 1800.	Resigned 7 May, 1804.
John Stephenson,	5 Nov. 1811.	Qualified 18 Feb., 1839.
" "	11 Jan. 1839.	
Daniel Kincheloe,		Qualified 7 May, 1804.
Jacob Beeson,	5 July 1808.	Qualified 4 Nov. 1806. (?)
Jesse Lowther,		Resigned 4 Oct., 1802.
Joseph Cook,	12 May 1800.	Resigned 8 Oct., 1806.
Reece Woolf	" " "	*
John Neal,	13 May 1800.	Resigned 16 May, 1816.
William Lowther,		Resigned 4 Oct. 1802.
Geo. D. Avery,	1 June 1801.	

* On the 5th of June, 1809, Phelps, Edelin, Kincheloe and Tavenner, Justices, protest to the Governor "that from custom, and usage, Reece Woolf, Senior Justice should be recommended for Sheriff."

NAME.	Date of Com. or Qualif'n.	RESIGNATION, ETC.
Robert Wells,	9 Mar. 1801.	
Jacob Cook,	3. Aug. 1803.	
Peter Anderson	" "	From Kenawha.
Thomas Tavenner	11 Dec. 1806.	Resigned.
" "	11 Jan. 1839.	Qualified 18 Feb. 1839.
Alexander Henderson, of Alexander,	2 Feb. 1807.	
Yates S. Conwell,		
George Creel, Jr.		
Thomas Rector,		
Robert Triplett,	15 Jan. 1808.	
Robert Edelin,	" " "	Qualified 22 Feb. 1808.
Bennett Cook, Sr.	5 Jan. 1808.	Died 9 Oct. 1845.
Ezekiel McFarland,	6 Aug. 1810.	
Richard Neale,		
John Stokeley,	7 Jan. 1811.	
Thomas Mealey,	3 Apr. 1809.	Resigned 6 Aug. 1811.
Henry Steed,	3 June 1811.	Wirt Co.
Benj. Mayberry,		?
Jno. A. Kinnaird,	7 Oct. 1811.	Resigned 5 June 1816.
	16 Jan. 1828.	Re-appointed.
Robert Kincheloe,	2 Mar. 1812.	
Jonas Beeson,	12 Apr. 1812.	
Jno. P. Mayberry,	6 July 1814.	
Jas. L. Mitchell	5 Sept. 1814.	
Lewis Beckwith,	7 Nov. 1814.	
David Creel,	5 June 1815.	
James Henderson,	6 Nov. 1815.	
Derrick Pennybacker,	4 June 1816.	
Herman Blennerhaset,		Named 4 Sept. 1799, but not commissioned.
Samuel Jackson,		Appointed 7 May 1811, but not allowed to qualify, having previously declined to act.
Isaac Williams,		Appointed, but declined; Elijah Bachus commissioned, but not a resident.
William Holliday,	4 June 1816.	
Francis Keene,	6 Jan. 1817.	
Mathew Cashell,	" " "	
James Hiett,	" " "	
George Reger,	7 Apr. 1817.	
Jos. Tomlinson,	9 Nov. 1816.	Qualified 7 April, 1817.
John Taylor,	2 Mar. 1818.	Resigned.
" "	11 Jan. 1839.	Qualified 18 Feb., 1839.
Jeptha Kincheloe,	2 Mar. 1818.	
James Foley,	" " "	
John Barnett,	" " "	Resigned 5 July 1819.
David Blair,	3 " "	
David Creel,	" " "	
Peter Anderson,	" " "	
G. H. Rogers,	1821.	

NAME,	Date of Com. or Qualifi'n,		RESIGNATION, ETC,
Benjamin Webb,		1821.	
Mason Foley,	28 Feb.	1822.	Qualified 3 June 1822.
Mathias Chapman,	16 Jan.	1827.	" 19 Feb. 1827.
Presley Woodyard,		1830.	
Charles Rector,	9 July	1823.	Qualified 1 Dec. 1823, Wirt Co.
Barnes Beckwick,	28 Feb.	1822.	" 2 April 1822.
Chas. P. Bailey,		1830.	
H. L. Prentiss,		1832.	
John Harris,		"	Resigned 16 March 1832.
William Dyer		"	
Daniel Haymond,		1830.	
Sam'l S. Spencer,		1832.	
David Hopkins,	3 Nov.	1832.	Qualified 21 Jan. 1833.
William Tefft,	23 Aug.	1833.	" 16 Sept. 1833.
Jno. G. Stringer,		1836.	
Thomas Dawkins,	3 Nov.	1834.	Qualified 19 Jan. 1835.
William Maley,	" "	"	
John K. Prince,	13 Nov.	1835.	Qualified 21 December, 1835. Pleasants County.
Luther Edgerton,		1836.	
Robert S. Smith,		"	
John Kincheloe	11 Jan.	1839.	Qualified 17 June 1839.
Wm. E. Lockhart,	2 Feb.	1841.	Quali'd 17 Mar. 1841, Wirt Co
Jno. McFarland,	" "	"	Qualified 22 June 1841. Died before 1845.
Jefferson Gibbens,	13 Dec.	1842.	Qualified 16 Jan 1843.
Wm. S. Gardner,	" "	"	" " " "
Wm. F. Coffer,	" "	"	" " " "
Geo. W. Henderson,			19 Aug. 1850.
Alex'r H. Creel,	19 Aug.	1850.	Pleasants Co.
John Hannaman	21 Apr.	1846.	Qualified 18 May 1846.
Samuel Hammett	" "	"	17 Aug, Pleasants Co.
Wm P. Rathbone,	" "	"	15 June, 1846, Wirt Co.
Daniel R. Neal,	" "	"	19 Oct. 1846.
Wm. Logan,	4 Nov.	1846.	16 Nov. 1846.
Edward Tracewell,	" "	"	" " "
Jacob Cork;	" "	"	Q'd 16 Nov. 1846, Vacated.
Alfred L. Kinnaird,	4 Nov.	1846.	Qualified 16 Nov. 1846, Res.
Daniel Wilkinson,		1847.	Qualified 16 Nov. Wirt Co.
Alfred Beauchamp		"	Wirt Co.

1852 to 1864—ELECTIVE JUSTICES.

Under the Constitution of 1851-2 the magistrates were chosen by popular vote, to serve four years from 1 July 1852. At the election 27 May 1852, at organization were recorded the following:

Jefferson Gibbens, Benj. R. Pennybacker, Washington Berry, Edward S. McGuire, Geo. W. Henderson, William

Johnson, George Thorpe, Richard Arnold, Benjamin F. Reeder, William H. Taylor, William McKinney, Thomas Chancellor, Samuel Dewey, Wm. R. Black, Zachariah Hickman, Edward Roe, Wilson Franklin, John Smith, William Fought, John Hannaman.

Jefferson Gibbens, President.

At Sept. term 1853 appear on the roll also Jno. W. Moss, Jno. A. Stephens, Henderson Deen, Alex'r C. McKensie, and Edward Tracewell; and disappear names of George Thorpe, B. F. Reeder, Edward Roe, Wilson Franklin, and William Fought.

AUGUST TERM 1856.

B. R. Pennybacker, Edward Tracewell, Geo. K. Leonard, W. A. M. Reed, James Stephens, Mathew Mahew, Geo. W. Henderson, Jesse Murdough, Jacob Cork, Elijah P. Dye, Robert Buckner, Geo. W. Lott, Mich'l S. Anderson, Hugh P. Dils, Edw'd D. Stagg, Marcellus Clark, John Rhine, George Page, Lemuel Cooper.

H. P. Dils, Presiding.

1856—JULY TERM.

B. R. Pennybacker elected 1st Dist.

Ed'w. Tracewell elected 2d Dist.

Jesse Murdough elected 3d Dist.

For the full year 1855 only $96.00 was claimed by and paid to the President of the court, as per diem.

JUNE TERM 1858.

At the June term 1858, the following classification was made:

Presiding Justice, H. P. Dils.

1. George W. Lott, W. A. M. Reed, Mathew Mayhew and Marcellus Clark.

2. Joseph Johnston, Jesse Murdough, and James Stephens.

3. Ben. R. Pennybacker, George Page, and Edward Tracewell.

4. Geo. W. Henderson, M. S. Anderson and Robert Buckner.
5. Jacob Cork, Lemuel Cooper and Edward D. Stagg.
6. Robert S. Smith, E. P. Dye and Levi Stephens.

JULY TERM 1860.

Elected 24 May Last.

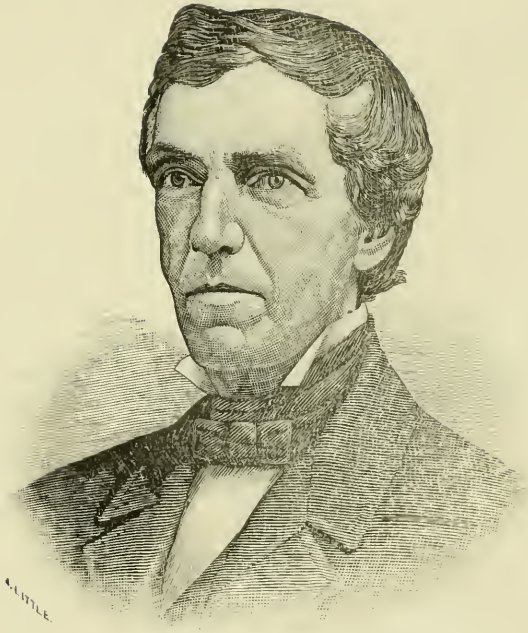
Henry Swindler, Henry S. Mitchell, John Wigal, Joseph Marlow.	District 1.
Hugh P. Dils, Barnett H. Foley, John W. Moss, John W. Mitchell.	District 2.
Geo. W. Henderson, Wm. E. Stevenson, Alex'r C. McKinsie, Parkinson Reed.	District 3.
Thomas C. Byrd, John S. McGuire, M. P. Schock, Robert Buckner.	District 4.
Levi Stephens, James M. Leach, Herman Deem, Thomas Stephens.	District 5.

August term John W. Moss chosen Presiding Justice.

In Sept. 1861, Swindler and Marlow of District 1, resign and a new election is ordered. But in Nov. of that year reconstruction is necessary and the Governor appoints to vacancies: Thompson Devaughn, Geo. W. Lott, Lawrence A. Beckwith, Josiah Shanklin, John House, Thos. D. Wilson, Edward Tracewell.

FEBRUARY TERM.

The minutes of Feb. Term 1862 have this entry: "It appearing to the satisfaction of the Court that all the Jus-



JEFFERSON GIBBENS,
Presiding Justice of Wood County,
1852 to 1856.

tices of this County, who have resigned, or whose offices have otherwise become vacant, have been served with a copy of the order of the Court, November term last, requiring them to return to the clerk of the Court copies of the Code of Virginia, Mayo's Guide, and such acts of the Assembly as they have respectively received and receipted for. And it also appearing to the Court that Thompson C. Byrd, Barnett H. Foley and John Wigal, Justices, whose offices have become vacant, have failed and refused to deliver the said books pursuant to the said order; it is ordered that the said Thompson C. Byrd, Barnett H. Foley and John Wigal be severally summoned to appear here on the first day of March Term next to show cause, if any they or either of them can, why they shall not be severally attached for a contempt in failing and refusing to obey the order aforesaid."

All places were made vacant by legislative enactment, and in Nov. 1861 the Governor appointed as Justices from the 1st district, Geo. W. Lott and Lawrence A. Beckwith; from the 2d, Josiah Shanklin, Thos. D. Wilson and Edward Tracewell; from the 4th, Thompson Devaughn and John House.

APRIL TERM, 1862: CLASSIFICATION.

1. John Flinn, Levi Stephens, Edw'd Tracewell and A. C. McKensie.

2. Pres. Jus. and John House, G. W. Lott and Josiah Shanklin.

3. P. J. and W. Stevenson, Thompson Devaughn and James M. Leach.

4. P. J. and H. B. Deem, Thos. D. Wilson and P. Reed.

5. P. J. and Robert Buckner, Thos. Step and J. S. Keever.

6. P. J. and M. P. Schock, L. A. Beckwith, H. P. Dils.

1864 TO 1873.—JUSTICES FOR THEIR SEVERAL DISTRICTS.

Election 30th January, 1864.

Parkersburg, - Robert S. Smith, (1)
" - - Wilson Franklin, *
Williams, - - - - Parkinson Reed
Union, - - - Hubbard M. Prince, (2)
Clay, - - - Zack Hickman, (3)
Harris, - - - J. S. Keever
Lubeck, - - - Edward Tracewell
Walker, - - - Jno. W. Mussetter (4)
Slate, - - Henderson Deem, (5)
Steele, - - - Geo. W. Lott
Tygart, - - - Adam Laughlin, (6)

JUSTICES.

Election 12 May, 1867.

Parkersburg, - - - William Dils
" - - - Geo. W. Taggart
Williams, - - - Walter Athey. (7)
" Alex. C. McKensie, (1869 addit'l)
Union, - - - - V. A. Dunbar
" - W. A. M. Reed, (3 Nov. 1870)

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* At an election, 9 May, 1865, were chosen to fill vacancies:
Clay—Jas. M. Robinson in place of Hickman. (3)
Parkersburg—Samuel Smith in place of Wilson Franklin. *
Union—V. A. Dunbar in place of H. M. Prince. (2)
Tygart—Ralph Black in place of Adam Laughlin. (6)

10 Aug. 1866, Jno. Hannaman appointed for Clay in place of Robinson; he declined and C. W. Taggart instead. (3)

21 Dec. 1866, Mussetter of Walker resigned, and S. M. Peterson in place. (4)

10 Nov. 1869, R. D. Petty of Tygart, resigned and W. R. Black in place. (6)

(1) Dec'd, and 24 Jan. 1867, G. W. Taggart in place.
(5) Deem of Slate, 5 June, 1866, resigned and E. P. Dye, in place.
(7) Morgan Henrie, 4 Jan. 1870, in place of Athey.

Clay, - - - - C. W. Taggart
"
Harris, - - - - J. S. Keever
" - J. P. Leavitt, (Dec. 1869 addit'l)
Lubeck, - - - L. A. Beckwith
" - - - - James Brown
Walker, - - Thompson Devaughn
" - Geo. P. Sergeant, (appears later)
Tygart, - - - Wm. H. Taylor, (2)
"
Steele, - - - - - George Cox
" - Geo. W. Lott, (in 1869, addition)
Slate, - - - - - E. P. Dye

Election 26 Oct. 1871, Serving Through 1872.

Parkersburg, - - Jno. W. Mitchell
" - - - George W. Neal
Williams, - - - Morgan Henrie
" - - - - D. P. Wigal
Clay, - - - Jas. M. Robinson
Harris, - - - - Whitten Wells
" - - - - W. W. Foughty, (1)
Lubeck, - - Edward Tracewell
" - - - - J. H. Miller
Walker, - - - Jno. S. McGuire
" - - - Geo. P. Sergeant
Slate, - - - Henderson Deem
Steele, - - Levi Stephens, (2)
" - - - J. H. Judkins, (3)
Tygart, - - - John Foley, (4)
Union, - - - - W. A. M. Reed
" - - - - V. A. Dunbar

(2) Taylor resigned, 16 Nov. 1868, and R. D. Petty in place; April 1870, Black resigned and Thos. Stephenson in place.

(1) Foughty succeds in 1872; by election in 1871, Leavitt in Harris.

(2) Succeeds by election in 1871, for 1872, Lott in Steele.

(3) Suceeds Geo. Cox of Steele.

(4) Succeeds J. M. Leach of Tygart for 1872, by election in 1871.

1864 TO 1873—BOARD OF SUPERVISORS.

To the Board of Supervisors, one from each magisterial district, was committed the financial affairs of the county, from 1864 to 1873, while in each of the said districts for that period, were elected Justices of the Peace, who administered the law.

By the first election, 30 Jan. 1864, were chosen:

Lysander Dudley, Ozias Stephens, Harrison Buckley, Sam'l S. Spencer, Edwin S. Butcher, Thompson Devaughn, William T. Cook, John W. Davis, Thos. H. Bartlett and Lawrence Beckwith.

At their first meeting, 11 Feb., Lysander Dudley was made President, and continued to 20 June 1864, and Sam'l S. Spencer thereafter. John Hall, County Treasurer, and Geo. K. Leonard Clerk of the Board.

At the election, Fourth Thursday in April 1864 the same Supervisors were chosen to serve one year from 20 June 1894, who selected the same Clerk and President.

Supervisors Election 9 May, 1865.

Parkersburg	Lysander Dudley
Williams	Sam'l S. Spencer
Union	John W. Davis
Lubeck	L. A. Beckwith
Clay	George Harris
Walker	Thompson Devaughn
Slate	Edwin S. Butcher
Steele	Ozias Stephens
Tygart	Wm. T. Cook
Harris	H. W. Buckley (1)

Sam'l S. Spencer Pres't from 20 June 1865, to 5 May 1866, when he resigned, and Joshua Stapleton in place as member. Dudley Pres't from Jan. 1866; Geo. K. Leonard, Clerk, John Hall, Treasurer, (2)

(1) 20 Dec., 1865, Wm. Beckett in place of H. W. Buckley, in Harris.
(2) Died in Dec. 1865, and Thompson Leach in place.

ELECTION 24 MAY 1866,

Parkersburg	Lysander Dudley
Williams	Enoch Rector
Union	John W. Davis
Lubeck	L. A. Beckwith
Clay	George Harris
Walker	Thompson Devaughn
Slate	Washington Berry
Steele	Jacob Deem (the 3d)
Tygart	Wm. T. Cook
Harris	W. A. Cooper

Lysander Dudley, President.
Geo. K. Leonard, Clerk.
Milton P. Amiss, Treasurer. (1)

ELECTION 12 MAY 1867.

Parkersburg	Lysander Dudley
Williams	Enoch Rector
Union	John W. Davis
Lubeck	William Maywood
Clay	Wm. O. Fought
Walker	Robert A. Byrd
Slate	Edwin S. Butcher
Steele	Jacob Deem (the 3d)
Tygarts	F. C. Bogg
Harris	W. A. Cooper

Lysander Dudley, President.
Geo. K. Leonard, Clerk.
W. H. Hunter, Treasurer.

ELECTION, 4th THURSDAY IN OCT. 1868.

Parkersburg	W. H. Smith
Williams	Enoch Rector
Union	Jno. W. Davis
Lubeck	J. P. Tracewell

(1) M. P. Amiss, in Oct. 1865 was elected Treasurer, but refused to qualify.

L of C.

Clay	Wm. O. Fought
Walker	J. W. Mussetter
Slate	H. B. Deem
Steel	S. T. Rial
Tygart	W. T. Cook
Harris	W. A. Cooper

Lysander Dudley, President to Dec. 31, 1868.
Enoch Rector, President to Dec. 31, 1869.
Geo. K. Leonard, Clerk, to Jan. 1869.
J. W. Davis, Clerk from Jan. 1869.
W. H. Hunter, Treasurer.

ELECTION 28 OCT. 1869.

Parkersburg	W. H. Smith
Williams	Selden S. Stone
Union	A. R. Rolston
Clay	Wm. O. Fought
Walker	Robert A. Byrd
Slate	Edwin S. Butcher
Steele	Peter Sellers
Lubeck	J. P. Tracewell
Tygart	James Cooper
Harris	W. C. Keever

Enoch Rector, President 1869.
Selden S. Stone, President 1870.
John W. Davis, Clerk.

ELECTION 27 OCT. 1870.

Parkersburg	George Dent
Williams	Selden S. Stone
Union	A. R. Rolston
Clay	W. O. Fought
Walker	Robt. A. Byrd
Slate	John A. Page
Steele	Peter Sellers
Lubeck	Geo. W. Coffer
Tygart	Thos. A. Tavenner
Harris	A. G. Congrove

Selden S. Stone, President to 31 Dec. 1870.
George Dent, President to 31 Dec, 1871.
Jno. W. Davis, Clerk, 1870.
Stephen C. Shaw, Clerk, 1871.

ELECTION 26 OCT. 1871.

Parkersburg . . .	W. H. Stahlman
Williams . . .	Kinnard Snodgrass
Union . . .	Jno. W. Davis
Clay . . .	William O. Fought
Walker . . .	T. B. Parker
Slate . . .	Geo. M. Riddle
Steele . . .	J. A. Woodyard
Lubeck . . .	Geo. W. Coffer
Tygart . . .	Thos. Stephens
Harris . . .	A. C. Congrove.

Wm. O. Fought, President, 1872.
Stephen C. Shaw, Clerk.

The Board, 31 Dec. 1872, adjourned by expiration, and John W. Davis made an able valedictory for the Supervisors.

1873 to 1881.—JUSTICES COURT.

Under the new Constitution, by an election 22 Aug. 1872, Justices were chosen in each district, to constitute the County Court, and by vote over the several districts a Judge to preside. Their term was four years. The vote for the highest two stood:

Parkersburg—Geo. W. Neale, and W. P. Rathbone.
Williams—Morgan Henrie, 157; D. P. Wigal, 132.
Union—Jno. W. Davis, 110; W. A. M. Reed, 106.
Clay—Wm. Devaughn, 132; J. P. McCardle, 105.
Walker—Jno. S. McGuire, 226; G. P. Sergeant. 196.
Slate—Andrew J. Price, 59; Elijah P. Dyer, 57.
Steele—Jared Florence, 166; S. P. Moore, 165.
Harris—Jno. R. Leachman, 171; Whitten Wells, 166.
Lubeck—John Cook, 162; James Romine, 147.
Tygart—Wm. T. Cook, 90; Jno. H. Foley, 82.

Cyrus Hall, President.

JUSTICES, JANUARY TERM 1873.

W. P. Rathbone, Geo. W. Neale, Morgan Henrie, W. A. M. Reed, S. P. Moore, Jno. S. McGuire, James Romine, D. P. Wigal, W. T. Cook, Jared Florence, Wm. Devaughn, John Cook, Jno. R. Leachman, Whitten Wells, Jno. W. Davis, Geo. P. Sargeant, Andrew J. Price.

Cyrus Hall, President to Jan. 1877.

Samuel Chubbuck, 13 Oct. 1874 appears as Justice, and J. P. Cardell, in Mar. 1876. 24 Mar. 1874 Sergeant resigned. In 1874 Devaughn removed from the District.

JUSTICES JAN. 1877.

Sam. L. Addison, F. C. Boggs, Whitten Wells, D. L. Davis, Jno. W. Davis, Jos. Johnston, John Wharton, J. R. Leachman, J. H. Cooper, S. P. Moore, D. P. Wigal, Geo. M. Riddle, W. Wm. Devaughn, J. P. Tracewell, Jno. Hickman, Jared Florence, T. B. Parker.

Kinnard Snodgrass,
Pres't from Jan 1877 to 31 Dec. 1880.

The last meeting of the County Court, as constituted by the Justices, was held in December of 1880. It was an occasion of parting and regret by bar and court members. The minute book, 4 pages 265 and 266, Dec. 17, has the following resolutions thereon:

"Whereas, By the ratification of the amendment to the 8th article of the Constitution, on the 12th day of October, 1880, the people of the State of West Virginia, have seen fit to abolish the present system of the County Court, And

Whereas, this will be the last session of the County Court as now constituted, And

Whereas, the present system has received the confidence, the patronage and support of such distinguished citizens of the old State, (Virginia), as Washington, Jefferson, Monroe, Madison and Chief Justice Marshall, And

Whereas, the bench in the days of the past, has been

KINNARD SNODGRASS,
Judge of Wood County Court.
1877 to 1881.

occupied by such distinguished and respectable men of our County, as Herman Blennerhassett, Alexander H. Creel, George W. Henderson, Hugh P. Dils, Jefferson Gibbens, John W. Moss, B. H. Foley and Daniel R. Neal, And

Whereas, we, the members of this bar, have ever received the kindest and most considerate treatment at the hands of this Court, and have only met in its members, honest, high-toned, and courteous gentlemen, dealing Justice to all fairly and impartially,

Be it resolved by us, the members and ex-members of the bar of Wood County, that we take this public manner of expressing our thanks for the many acts of kindness and universal courtesy received at the hands of this Court from all the members thereof, and especially from Kinnard Snodgrass, the President of this Court.

That we request the Court now sitting to allow these resolutions to be spread upon the record and made a part of the proceedings of this Court.

James M. Jackson,
Jacob B. Jackson.
Geo. W. Neale,
W. W. VanWinkle,
Walter S. Sands,
Chas. T. Caldwell,
Talbot O. Bullock,
J. G. McCluer,
R. Heber Smith,
D. H. Leonard,
John A. Hutchinson.

JUSTICES—1881 TO 1900.

Election, 12 October 1880.

Geo. K. Leonard . . .	Parkersburg
De. L. Davis . . .	"
Hezekiah B. McKinney .	Williams
John W. Snodgrass . .	"
M. B. Johnson . . .	Union
Joseph Y. Smith . . .	"
John C. Flinn . . .	Harris

N. N. Crook	" (1)
James L. Bailey	Clay
Wm. H. Bickel	"
N. S. Clark	Lubeck
Geo. W. Coffer	"
James M. Leach	Tygart (2)
J. T. Prickett	"
S. P. Moore	Steele
H. C. Masters	"(3)
John B. Badger	" (4)
T. B. Parker	Walker
B. F. Mount	"
J. B. Badger	Slate

JUSTICES.

Election 14 October, 1884.

Thomas P. Butcher	Parkersburg,	(Oct. 1882.)
De L. Davis	"	
Morgan Henrie	Williams	
L. T. Prettyman	"	
William A. Adams	Union	
Thomas Meadlee	"	
James H. Buckley	Harris	
J. A. Carp	"	(in 1882.)
C. A. Ware	"	
S. T. Boggess	Clay (5)	
James M. Leach	"	
Marion J. Bickel	"	
Charles A. Pahl	Lubeck	
J. P. Tracewell	"	(in 1882.)
R. C. Tracewell	"	

(1) Crook of Harris resigned, 13. Apr. 1882, and John E. Mayhew in place.

(2) Tygart appears to have two Justices after Jan. 1881, by order of 4 Aug. 1880.

(3) Badger, Masters and Moore are all recorded as qualifying in this district, and Badger in Slate also.

(4) Masters of Steele, removed from district, 13 Apr. 1882, and Jared Florence in place.

(5) Boggess resigned, 6 Apr. 1885, and E. D. Stagg in place.

Thomas Leach	Tygart	
E. W. Deem	"	
E. M. Ramsey	Steele	
Hiram D. Powell	"	
Alben Swearingen	Walker	
Charles M. Magill	"	
B. F. Mounts	"	(in 1882.)
John B. Badger	Slate	

JUSTICE.—Election 6 Nov. 1888.

Sam. T. Stapleton,	Parkersburg
Thos. P. Butcher,	"
Monroe Uhl,	Williams
Mathew Mayhew,	"
Clauson P. Corbitt,	Union
Richard E. Fisher,	"
James H. Owings,	Harris
John H. Buckley,	"
James A. Anderson,	Clay
C. S. Murphy,	"
Jacob P. Kesterson,	Lubeck
Geo. W Coffer,	"
Wm. A. Ruble,	Tygart
Edw'd W. Deem,	"
Jared Florence,	Steele
Geo. W. McVey,	"
Chas. M. Magill,	Walker
Benj. F. Mounts,	"
Jno. B. Badger,	Slate. (1)

JUSTICES.—Election 8 Nov. 1892.

D. J. Jones,	Parkersburg district
A. B. Beckwith,	"
O. D. Way,	Williams
Monroe Uhl,	"

(1) Left the County, and in place Dr. A. K. Ross.

R. E. Fisher, ... Union, (1)
S. T. Boggess, ... "
Jas. H. Owings, ... Harris
W. O. Butler, ... "
M. T. Devaughn, ... Clay
Henry L. Farson, ... "
D. H. Lilly, . . . Lubeck } (2)
Geo. W. Coffer, . . . " }
William Kirk, ... Tygart
W. H. Ruble, ... "
Geo. W. McVey, . . . Steele
Jared Florence, ... "
A. Swearingen, . . . Walker
A. J. Devaughn, ... "
Homer G. Merrill, ... Slate

JUSTICES.—Election 10 Nov. 1896.

(To take office in Jan. 1897.)

Parkersburg—D. J. Jones, 1738.
" G. A. Drennan 1696.
Williams—W. P. Beeson, 219.
" Benj. Chancellor, 219. (1.)
Union—A. L. Cross, 294.
" C. P. Corbitt, 300.
Harris—W. O. Butler, 286.
" Sam N. Proffitt, 289.
Clay—Jas. A. Anderson, 287.
" Henry F. Stanley, 255.
Lubeck—Jos. M. Johnston, 306. (2.)
" J. R. Leachman, 297.
Tygart—Wm. Kirk, 233.
" W. H. Ruble, 237.
Steele—D. P. Coe, 282.

(1) Resigned 7 Jan. 1895, and C. P. Corbitt in place.
(2) Elected 6 Nov. 1894 W. F. Truslow and J. P. Hesterson.
(1.) J. W. Chichester, 22 July 1897, appointed till election.
(2.) Resigned in March and Elisha F. Wilson in place.

JOHN F. LAIRD,
Prosecuting Attorney,
1897 to 1901.

was refused by the Court, conceiving that as he had heretofore refused to qualify when called upon by the Court, he cannot be admitted at this time. To which John Stokeley, one of the sitting Justices protests."

Grand Juries were considered the "eyes of the people," the sieve through which were sifted the reports that might discover infactors of law and good order. The courts in early days, were accustomed to appoint for these duties, citizens of integrity, honor and discreetness as well as those fearless and conscientious. They were intended to not only reveal crime and the perpetrators thereof, but to shield the citizen as well, when suspicion unfounded over-shadowed his pathway.

The session of the Justices court, 12 May 1800, formed the first Grand Jury of the county, as follows:

Richard Sparrow, Foreman; James Gibson, George Armstrong, Benjamin Badgeley, Peter Hannaman, John Bibby, Charles Howard, John Gard, Jeremiah Sergeant, Hamilton Morrison, Jesse Jackson, Adam Mires, Josiah Nally, Samuel Halley, James Gillispie, Peter McCall, William Enoch, Joel Lowther, and William Powell, 19.

The next Grand Jury empanneled 3 Aug. 1801, were:

Nehemiah Spencer, Jedediah Darley, Adam Miener, Jacob Trumble, Luke Misner, William Prince, Ephraim Gard, Peter Hannaman, Charles Rockhold, Thomas Thornton, Daniel Rowell, George Foutty, John Dixon, Peter McCall, Eleazer West, Sylvester Barnes, John Lockhart, William Ratcliffe, Richard Lee, and John Dean, 20.

On the 5 Nov. 1810, the "body of the County," as often called, consisted of Moses Pilcher, Foreman; Alexander White, Isaac Staats, Henry L. Prentiss, Peter Hannaman, Reuben Dye, John Caplinger, John Kittle, Henry Lloyd, Adam Vanoleara, Jedediah Darley, John Barnett, Mason Foley, John Sergeant, James White, Samuel Barrett, William Hill, David Lee, Ezekiel Barnes Jr., Oliver Hutcinson, David Owl (Uhl), and David Deem.

The following order follows upon the court records:

"Manlove Beauchamp, having been summoned to attend this court as a Grand Juror, and being solemnly called failed to appear. It is therefore ordered that for his non-attendance he make his fine with John Tyler, Esq., Governor, or Chief Magistrate of this Commonwealth for the time being, or his successor in office, for the use of the said Commonwealth, by the payment of eight dollars, unless good cause be shown for such failure, at or before the next Quarterly Term."

"Also, it being suggested that —— —— Jennings, an orphan under the age of 21 years, hath been bound to Manlove Beauchamp of this county, and that the said orphan is illy treated by his master, it is therefore ordered that the said Manly Beauchamp be summoned to appear here, at the next term to show cause why the indentures should not be cancelled, and the said apprentice be bound over to another person."

The Grand Jury for the June Term, 1818, was composed of:

Bartlett Leach, Foreman; Samuel Coe, John Pugh, James Riggs, Noah Ogden, Absolom Ogden, David Thomas, John Dils, William Renick, John Phelps, Hedgman Simpson, Walter Coe, Jr., George Leach, Abraham Vandiver, Scarlet G. Foley, Hugh Phelps, Jr., George Parker, James Creel, Edward Johnson, Jacob Uhl and Elias Kincheloe.

About the year 1819, in the month of June, the Gentlemen Justices began to feel very poor and economic, and "ordered that twenty-five dollars heretofore appropriated for the purpose of procuring a County Seal, and now in the hands of James H. Neal, be applied to payment of two stoves and pipes for the use of the Court House, or as much thereof as shall be found necessary."

In 1818, Isaac Morris, a practicing attorney, so irritated the Justices in Court, as to be fined 83 cents, to go to the Literary Fund. These fines upon members of the bar appear of frequent record, followed next day by a release upon explanation or apology.

FREDERICK STAHLMAN.
Present County Commissioner.]

In 1820, one of the Grand Juries had enrolled, John Neal, Foreman; Nathaniel Morehead, Jas. D. Morehead, David Spencer, John Spencer, Jr., Wm. O. Fought, Jonas Lewis, Mason Foley, Hedgeman Simpson, William Skinner, Samuel Allen, Abraham Pribble, John Barrett, Hector R. Eskridge, Henry Dils, William Renick and Samuel Barrett.

At the August Term, 1852, the following constituted the Grand Jury:

Albert G. Leonard, Foreman; John Hill, William Deems, George Cummins, Wm. T. McClintick, Mark A. Melrose, Henry Cooper, Levi Stephens, Wyatt Lewis, Jonathan B. Beckwith, Henry H. Harper, Abraham F. Ingram, Owen Owens, Alferd Neale, Edward Johnson, Elisha Whitlach, Ludwick Mott, John Dare, Thomas W. Locker and James Melrose.

HIGH SHERIFFALTY.

In early day this was a commanding position among the yeomanry. The "saddle-bags" of the county, as it is often styled, still remains an important lever in political affairs. Promotion, for years, of unsalaried service, as the reward, led from the seat of Justice upon the county bench, to it. And yet, as now according to individual taste, it was sometimes so undesirable, that a fine was imposed for not accepting the office tendered.

The office in 1634 was elective, and in 1642 limited to a year term. In 1655 appointment was by the Governor and council, from three persons named by the commissioners of the county. In 1660 it was conferred on the oldest Justice in commission, and in 1705 that the Governor might commission either of the three nominated, and the selected one to hold office for two years. A penalty was added in 1710 for refusal to accept, and in 1775 power of appointment was delegated to the county courts. The constitution of 1776 revived the custom of appointment by the Governor, and recommendation by the courts. An act of 1792 directs that the court should annually nomi-

nate three of the sitting Justices, from whom the Governor commissioned one as his preference. Failure to so nominate subjected each justice to a two hundred dollar fine, and if the Sheriff appointed, failed to give bond he was fined $300, and another of the nominated justices was made sheriff. By consent of the Virginia Exectutive the Term might be extended to two years. These provisions remained in force, practically, till the revised Constitution of 1851 went into operation, when the office became elective and the term fixed at two years. The Constitution of the new State of West Virginia, in 1863, fixed the term as four years, and it so continues, with the restriction of ineligibility for a consecutive service, even by election.

The rates allowed for keeping in custody, as property under execution, for each day, sounds strangely now, and was:

In Sept. 1807, for horse 17 cents; cow, twelve and a half cents; horse or sheep, 6 cents; negro 17 cents.

In June, 1810, for horse or mule, 8 cents; cattle or hog, same, sheep or goat, 6 cents; slave, 14 cents.

HIGH SHERIFFS.

1776,	under Monongalia,	John Dent
1783,	" "	David Scott
1784,	under Harrison,	William Lowther
1785,	" "	James Anderson
1786,	" "	James Anderson
1787,	" "	Nicholas Carpenter
1788,	" "	Nicholas Carpenter
1789,	" "	William Robinson
1790,	" "	William Robinson
1791,	" "	John McCally
1792,	" "	John McCally
1793,	" "	John Sleeth
1794,	" "	Benj. Robinson
1795,	" "	Benj. Robinson
1796,	" "	John Prunty
1797,	" "	Thomas Read
1798,	" "	Thomas Read
1799,	under Harrison	John Hacker
1800,	" "	" "

CHARLES AMOS WADE,
Sheriff of Wood County,
1897 to 1901.

WOOD COUNTY SHERIFFS.

The first appointment for the new county was William Lowther, who had been a Militia Lieutenant for Harrison county during the Indian wars of 1785 to 1794. He was commissioned by James Monroe, 27 January, 1800, and Hugh Phelps and John Neal became sureties on his official bonds. The bonds were four, two of ten thousand each, one of thirty thousand, and another of six thousand dollars penalty.

1800, William Lowther,
1801, Hugh Phelps,
1803, Thos Prible.
1805, Ichabod C. Griffin,
1807, John Neal,
1809, Robert Wells,
1812, Reece Woolfe,
1814, Joseph Spencer,
1815, Peter Anderson,
1817, John G. Henderson,
1819, Daniel Kincheloe,
1821, Thomas Tavenner,
1823, Rob't Triplett,
1825, Robert Edelen,
1827, Bennett Cook,
1830, Henry Steed,
1831, Jno. Stephenson,
1833, Jonas Beeson,
1836, Joseph Tomlinson,
1838, Jeptha Kincheloe,
1841, Barnes Beckwith,
1844, Mason Foley,
1846, C. Rector,
1848, J. A. Kinnaird,
1851, Matthias Chapman,
1853, T. J. Cook,
1857, Geo. L. Harwood,
1861, Henry H. Dils,
1865, Wm. H. Mattingly,
1869, Wm. Jared Hill, (?)
1877, Charles H. Shattuck.
1881, Chas. B. Smith,
1885, Samuel Stewart.
1889, Jas. L. Buckley,
1893, Jno. W. Dudley,
1897, Chas. A. Wade.

WOOD COUNTY CENTENNIAL CELEBRATION.

1799–1899.

The several meetings of citizens of Parkersburg, interested in a proper celebration of the Centennial Anniversary of the Formation of Wood County, resulted in the selection of the following gentlemen to constitute an

Executive Committee with power to arrange for and carry out appropriate exercises:

Alvaro F. Gibbens, Prest.,
Harry P. Moss, Sec'y,
Capt. E. P. Chancellor, Treasurer.

J. F. Partridge,	Jno. S. Camden,
Sydney F. Shaw,	G. B. Gibbens,
H. B. Stout,	J. B. Finley,
S. B. Baker,	Edward McCreary,
T. M. Silcott,	Chas. H. Turner.

Auxiliary Committees.

The Press:

Wood County.

State Journal,	C. B. Smith, Jr.
Parkersburg Sentinel,	Hugh F. Kyle,
Daily News,	D. M. O'Bleness.
Smith's Index	Channing M. Smith
Parkersburg Gazette	Merton B. Gibbens
Methodist Episcopal Times	D. A. Denton

WIRT COUNTY.

Mountain Messenger	Elizabeth
Times	"
Kanawha News	"

JACKSON COUNTY.

News	Ravenswood
Jackson Herald	Ripley
Mountaineer	"

PLEASANTS COUNTY.

Oracle	St. Mary's

RITCHIE COUNTY.

Review	Harrisville
Gazette	"
Standard	"
News	Pennsboro

OTTO SCHULTZ,
Present County Commissioner

EDWIN SAMUEL BUTCHER,
President of County Commissioners,
1884 to 1887.

" S. P. Moore, 285.
Walker—W. H. Lenhart, 250. (3.)
" L. Miracle, 269.
Slate—Wm. Melrose, 84.
" Homer G. Merrell, 120.

COUNTY COMMISSIONERS.

1881-1900.

From 1881 the fiscal affairs of the county have been managed by three commissioners, elected in the preceding Fall by the people, while the Magistrates, chosen by the voters of each District, formed the local judiciary. They were and are:

1881–2.

Sam'l S. Spencer, 2 years; W. C. Stiles, Jr., 4 years; E. S. Butcher, 6 years. Samuel S. Spencer, Pres't for 1881 and 1882.

1883–4.

A. A. Kellar, W. C. Stiles, E. S. Butcher. Stiles Pres't for 1883.* E. S. Butcher Pres't 1884.

1885–6.

A. A. Kellar, W. A. McCosh, E. S. Butcher. Butcher Pres't in 1885 and 1886.

1887–8.

A. A. Kellar, W. A. McCosh, Levi Stephens, Jr. McCosh Pres't in 1887. Kellar Pres't in 1888.

1889–1890.

W. A. McCosh, Levi Stephens, Jr., R. N. Corbitt. McCosh resigned in April 1889, and A. B. Beckwith in place. McCosh Pres't to May, 1889; Beckwith balance of term.

(3.) D. L. Davis qualified also.

* Resigned and W. A. McCosh appointed to fill vacancy, and elected in 1884 for full term.

1891–2.

Ed. P. Chancellor, R. N. Corbitt, R. Levi Stephens, Jr.; R. N. Corbitt Pres't 1892–1891.

1893–4.

Ed. P. Chancellor, R. N. Corbitt, Ransom Rector; Chancellor Pres't to 1894, May 1, when he * resigned, and P. D. Gambrill in place. Corbitt Pres't balance of 1894.

1895–6.

Fred. Stahlman, Ransom Rector, W. A McKensie, Rector Pres't 1895; W. A. McKensie, Ransom Rector, Fred. Stahlman, Stahlman Pres't 1896.

1897–8.

Fred. Stahlman, Ransom Rector, W. A. McKenzie, McKenzie Pres't in 1897; Rector Pres't in 1898.

1899–1900.

Fred Stahlman, W. A. McKensie, Otto Schultz, Stahlman, Pres't in 1899.

CLERKS OF THE COUNTY COURT.

NAMES	Time of Service	REMARKS
John Stokeley,	1799 to 1806	Resigned 1 Septemb'r
James H. Neal	1806 to 1831	Septem'r to Septem'r
John Stephenson, Jr.	1832 to 1838	14 June.
John R. Murdock,	1838 to 1852	To 16 August.
Henry H. Dils,	1852 to 1858	18 June.
Will Hatcher,	1858 to 1863	20 May.
TITLE CHANGED TO RECORDER.		
George K. Leonard,	1863 to 1866	10 Jul. '63 to 15 Oct. '66
Edw'd Moore Hoit,	1867 to 1871	
Wm. H. Smith,	1871 to 1873	To 31 December 1872.
Will Hatcher,	1873 to 1877	To 31 December 1876.
Thos. G. Smith,	1877 to 1891	
Benjamin F. Stewart,	1891 to 1903	

* Resigned to accept Supervisor of Inspector of Steam Vessels for 7 Dist.

BENJ. B. STEWART,
Wood County Clerk.

COMMONWEALTH'S ATTORNEYS.

At the opening of the County Court of "Gentlemen Justices," an attorney present, Mr. Delavey, was called upon for advice, and thus became the protem or first officer in county formation. The first regular attorney was paid $45 for his entire year's services.

Nathaniel Davidson .	1800 to 1805, March
Maxwell Armstrong .	1805 to 1806
James G. Laidley .	1807 to 1820
Joseph H. Samuels .	1821 to 1826
John Jay Jackson . .	1826 to 1852
James M. Jackson . .	1856 to 1861, Aug.
M. P. Amiss . .	1861 to 1864, July
John A. Hutchinson .	1864 to 1869
Jacob B. Jackson .	1871 to 1877
David H. Leonard . .	1877 to 1881 Jan.
John G. McCluer . .	1881 to 1888 to Aug.
R. Heber Smith . .	1888 to 1888 to Nov.
Charles T. Caldwell .	1888 to 1891
Walter McDougle . .	1891 to 1897
John F. Laird . .	1897 to 1901

EARLY JURORS AND INCIDENTS.

John Stokely, clerk of the Justices Court, 9 June 1800, mentioned "that as yet he had not obtained any copy of the laws, and as he might be liable to penalties in his official capacity, merely thro' lack of information, the Court ordered that it be entered as their opinion that the said Clerk ought not to be blamed for such mistakes as has. will or may occur with said clerk for the lack of such literal information, to-wit, by a lack of a copy of that part of the laws of Virginia commonly called the Revised Code."

Notwithstanding this immunity, the Court, 29 Sept. 1807 enters, "that Sheriff shall sell contract to lowest bidder for completion of records which Clerk Stokely should have done, and report." James G. Laidley purchased the

job for $104, and was allowed to take the books out of the Court house to his residence to copy. And 29 Sept. 1809 James G. Laidley was directed to "institute suit against John Stokely, late Clerk, for failure to bring up the records of the proceedings of the Court."

The Justices Court, 4 May 1801, to-wit: Thomas Pribble, John Stephenson, John Neal, Hezekiah Bukey, Reece Wolfe, Hugh Phelps, and Jacob Beeson, have maturely considered the tenor of the Governor's letter, dated 23 Mar. 1801, it is ordered that the Clerk of this County, do certify to the Hon. James Monroe, Governor, as follows: that 24 persons have been commissioned as Justices of the Peace in and for this County, one of whom, to-wit, Elijah Barchus, is not nor has not been a resident of this County, since the County of Wood existed; one other, Isaac Williams, hath refused to swear into office, one other, Geo. D. Avery has not been sworn in; one other, Caleb Hitchcock, we sincerely think unworthy of that office, on account of his *mal* conduct both in and out of Court. He lately refused to sign the Journals, when he was acting as Senior magistrate of the Court, and hath refused to do the duty of a Justice, at sundry other times when required thereto, as we are well-informed, when out of court. Moreover the said Caleb is very subject to intoxication. And as to the distribution of the magistrates of this County, we shall observe that since the late commissions have been issued, the Justices of our county are distributed tolerably well. This was the unanimous opinion of the Court."

At its session, 8 Mar. 1811, the County Court enters of record: "The following to be made and considered as a rule of practice in this County Court: But two counsel will be allowed to argue one side of any cause without leave of the Court, which may never be asked for unless a case of importance and difficulty."

The records of 8 Mar. 1811 states: "Samuel Jackson, named in the Commission of the Peace for this County, came into court and offered to qualify into office, which

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Charter Member of State Historical Society.

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